

1 THE DISTRICT OF COLUMBIA TAXICAB COMMISSION

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5 PUBLIC MEETING6
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9 WEDNESDAY,
10 MARCH 12, 200811
12 + + + + +13
14 The regular full commission meeting met in the
15 DCTC Offices, at 2041 Martin Luther King, Jr.
16 Avenue, S.E., Washington, D.C., at 10 a.m.,
17 Leon Swain, Chairman, presiding.18
19 COMMISSIONERS PRESENT:20
21 LEON SWAIN, Chairperson
22 SANDRA C. ALLEN, Commissioner
23 A. CORNELIUS BAKER, Commissioner
24 WILLIAM HENRY CARTER, Commissioner
25 THOMAS HIENEMANN, Commissioner
26 INDER RAJ PAHWA, Commissioner
27 STANLEY TAPSCOTT, Commissioner
28 DOREEN THOMPSON, Secretary and General Council
29 TERESA TRAVIS, Commissioner
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44 OFFICE OF TAX AND REVENUE:

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WILLIAM BOWIE, Assistant General Counsel

3

ANGELA JONES, Customer Service Operations

4

Manager

5

LATOYA BOYD, Customer Service Specialist

6

7

8

DEPARTMENT OF MOTOR VEHICLES:

9

10

JAMES EDWARDS, Service Center Manager

11

KENNETH EDMONSON, Vehicle Services

12

Administrator

13

14

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COUNCIL OF THE DISTRICT OF COLUMBIA:

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DAVID VACCA, Legislative Analyst,

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Committee on Public Works and

19

the Environment

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T-A-B-L-E O-F C-O-N-T-E-N-T-S

Ms. Jones and Ms. McManus..... 11

Panel on Rates and Rules Discussion..... 51

Open Discussion..... 100

802.6 Discussion..... 163

Adjourn

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P-R-O-C-E-E-D-I-N-G-S

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10:24 a.m.

3

CHAIRMAN SWAIN: Good morning.

4

Today is March the 12th, 2008. And I will be

5

calling into order the Regular Full Commission

6

Meeting of the DC Taxicab Commission, 2041

7

Martin Luther King, Suite 204.

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If we could have a moment of

9

silence please I would greatly appreciate it.

10

Thank you very much. Madam

11

Secretary could you determine the quorum

12

please?

13

SECRETARY THOMPSON: Commissioner

14

Allen.

15

COMMISSIONER ALLEN: Here.

16

SECRETARY THOMPSON: Commissioner

17

Baker.

18

(No audible reply.)

19

Commissioner Carter.

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COMMISSIONER CARTER: Here.

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SECRETARY THOMPSON: Commissioner

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Tapscott.

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1 COMMISSIONER TAPSCOTT: Here.

2 SECRETARY THOMPSON: Commissioner
3 Hienemann.

4 COMMISSIONER HIENEMANN: Here.

5 SECRETARY THOMPSON: Commissioner
6 Pahwa.

7 (No audible reply.)

8 Commissioner Travis.

9 COMMISSIONER TRAVIS: Here.

10 SECRETARY THOMPSON: We have a
11 quorum.

12 CHAIRMAN SWAIN: Thank you. Okay.
13 First of all, I'd like to recognize what's
14 going on here. And would definitely like to
15 recognize the pioneers, the female cabdrivers
16 that we've had in this industry. I mean, we
17 look around and we see cabdrivers and we think
18 they are all men. We have a lot of women who
19 have been cabdrivers for a number of years.
20 And I'd just like to recognize the fact that
21 they bring a lot to the industry. Their input
22 is greatly appreciated. I just want the

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1 Commission to be on record as recognizing the
2 fact that they are here and we do appreciate
3 their efforts to make this a better
4 Commission.

5 (Applause.)

6 CHAIRMAN SWAIN: Ms. Carolyn, Ms.
7 Carolyn --

8 (Laughter.)

9 Okay. Ms. Robinson, would you like
10 to stand up and take a bow?

11 Please.

12 (Laughter.)

13 MS. ROBINSON: I'll ask in a month.
14 Thank you.

15 CHAIRMAN SWAIN: That means you get
16 as good as you give. Let me ask you, how many
17 years have you been out there now, Carolyn?

18 MS. ROBINSON: Yes, I have 33.
19 Since 1975.

20 CHAIRMAN SWAIN: Well, thank you
21 very much for your service.

22 MS. ROBINSON: Ollie Parker, she

1 has over 50 years. She is not here but she
2 usually comes. Yes, Ollie Parker has over 50
3 years.

4 CHAIRMAN SWAIN: Thank you. I feel
5 better already. Okay. Well, we'll have to go
6 down the line. Do the Commissioners have
7 anything that they would like to say?

8 Mr. Tapscott? Anything, remarks?
9 Anything you would like to say sir?

10 COMMISSIONER TAPSCOTT: No.

11 CHAIRMAN SWAIN: Okay. Ms. Travis?

12 COMMISSIONER TRAVIS: Not right
13 now.

14 CHAIRMAN SWAIN: Mr. Carter?

15 COMMISSIONER CARTER: Yes.

16 CHAIRMAN SWAIN: Please go ahead.

17 COMMISSIONER CARTER: Are we in the
18 business section here now?

19 CHAIRMAN SWAIN: No sir.

20 COMMISSIONER CARTER: Oh, okay.
21 Not now.

22 CHAIRMAN SWAIN: Okay. I'd like to

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1 bring something to everyone's attention. We
2 are experiencing bad transcripts. And when I
3 say, "bad transcripts," that means that we're
4 getting 300 or 400 pages of transcript where
5 we can't identify people. There's speaking
6 back and forth. They're not staying on the
7 issues. And I will take full responsibility
8 in that and I will attempt to do a better job
9 at that portion.

10 We need to, got to move the table,
11 we need to move that table way back.

12 We need to, if we're going to be
13 speaking, I want you to identify yourselves.

14 Can I get you two of the hack
15 inspectors to move that table up toward the
16 dais so we can have some room? And put a
17 chair or two there.

18 So what I'm going to need you to do
19 is, so we can maintain a better record, when
20 you speak I'm going to need you to come up to
21 the table, identify yourselves, and really,
22 really keep from doing the improv thing in the

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1 middle because we're missing a lot of the
2 information. And we are not being able to
3 identify people. So I would appreciate your
4 help in that matter.

5 Also, I need to remind everyone
6 that the meeting following this meeting, there
7 will be a Proposed Rulemaking setting up
8 what's required to transport small animals
9 while holding the vehicle in hire. That's
10 been going on for a little while. We're going
11 to address that issue today. And the
12 Rulemaking was attached to the agenda.

13 Yes, it is a public hearing. Yes,
14 I'm sorry. I neglected to say that. But I
15 don't want you to think you have to leave. It
16 is a public hearing.

17 Okay. I think everybody is going
18 to want to know what's been going on with the
19 taxi meters. I think that you've been able to
20 -- I'm sorry. I've made one more mistake.

21 Agenda items. We have a new item,
22 and a new item is, the use of 311. Although

1 the complaints will be going over to the
2 Unified Communication Center, and also the
3 Mayor is interested in having the taxicab
4 complaints placed there, the process will be
5 accepting the complaints. And we have a
6 representative from the Mayor's office to
7 discuss that matter. Ms. Jones.

8 MS. JONES: Yes, and Yvonne
9 McManus.

10 CHAIRMAN SWAIN: I'm sorry?

11 MS. McMANUS: Yvonne McManus.

12 CHAIRMAN SWAIN: Ms. McManus. Ms.
13 Jones. Please.

14 Okay. What has happened is, we
15 were notified by the Mayor's office that the
16 complaints will be going into the 311 system.
17 And these two ladies are here to explain to us
18 how that system is going to work and what's
19 going to happen.

20 MS. McMANUS: Okay.

21 CHAIRMAN SWAIN: Please.

22 MS. McMANUS: I'm Yvonne McManus.

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1 CHAIRMAN SWAIN: Yes, Ms. McManus.

2 MS. McMANUS: The Director of Non-
3 Emergency Services with the Office of Unified
4 Communications.

5 MS. JONES: I'm Shani Jones. I
6 manage the application that we're going to be
7 using to manage the complaint system.

8 CHAIRMAN SWAIN: That's the Hansen
9 System.

10 MS. JONES: The Hansen, yes.

11 MS. McMANUS: Okay. And I guess
12 Shani can explain the business process --

13 CHAIRMAN SWAIN: Yes.

14 MS. McMANUS: -- around complaint
15 processes.

16 MS. JONES: Right. Right now, you
17 may be aware that our residents can call 311
18 to request any services like trash collection
19 and pothole and streetlight repair, things
20 like that. Those services that are provided
21 by DPW and DDOT and that back at control,
22 within DOH. The Department of Motor Vehicles

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1 recently started using the application to call
2 Hansen through managed service requests.

3 Since the Mayor wants to have all
4 of the city services funneled through 311 to
5 be a one stop service center, it was
6 recommended out of his office to create the,
7 or to manage taxicab complaints through 311.

8 We, a couple of years ago, I think
9 in 2005, we actually set it up in Hansen to
10 manage these complaints. But it was moved
11 away from. And now we have a different agenda
12 where we're going to start using it again.

13 What we would like to do is, right
14 now, the rules state that customers must
15 submit a complaint or commendation in writing
16 directly to the Taxicab Commission. What we
17 would like to do is, funnel those complaints
18 and commendations through 311 which would
19 allow residents to call in or submit the
20 requests online using the dc.gov website.

21 Those actions would then be
22 captured in Hansen which is a service request

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1 management system. Which the D.C. Taxicab
2 Commission would have access to. And then the
3 complaint process or the management of those
4 investigations would still be managed through
5 the Taxicab Commission.

6 All we really want to do is give
7 the residents and customers one access point
8 by using 311 or the dc.gov system so that all
9 of the requests go into one place.

10 CHAIRMAN SWAIN: Ms. McManus --

11 MS. McMANUS: No, she's doing a
12 good job.

13 CHAIRMAN SWAIN: Okay. I think
14 you've been made aware that the commissioners
15 would have to vote on the change. And so what
16 I was going to suggest is that I have you here
17 today just to basically start the process.

18 MS. JONES: Yes.

19 CHAIRMAN SWAIN: And what we're
20 going to have to do is have a working session.
21 Where we can discuss it and work on this. I
22 believe, time is of the essence on this. Has

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1 it already --

2 MS. JONES: Yes. Because there was
3 an urgency on the Mayor's office and to get
4 this implemented, what has happened thus far
5 is that the citywide call center 311 has been
6 instructed that they can take what is
7 considered an informal complaint through 311.
8 Which would mean that the residents or
9 customers could call in 311 and we could
10 submit a request through, in Hansen now. But
11 we would still instruct them to submit a
12 follow-up written letter.

13 What that would mean is that, the
14 requests that come in to Hansen would not be
15 considered formal unless those requests were
16 then subsequently submitted with a written
17 request. So they are allowed to take just the
18 complaint. So that we can know that they are
19 coming in. But they would not be considered
20 formal until we went through the legislative
21 process.

22 CHAIRMAN SWAIN: Yes.

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1 SECRETARY THOMPSON: Let me say the
2 Rulemaking Process.

3 CHAIRMAN SWAIN: Okay. Yes.

4 MS. McMANUS: Okay. And I guess
5 this attempt would be to streamline the
6 business process for the customer so that they
7 only have to make a call. And they don't have
8 to follow-up in writing.

9 MS. JONES: Yes.

10 COMMISSIONER HIENEMANN: What about
11 email?

12 MS. McMANUS: Right now, from what
13 I understand, the Taxicab Commission does
14 accept email requests. But in the future they
15 would need to submit their requests through
16 emails still but it's through the website.

17 MS. JONES: Right.

18 COMMISSIONER HIENEMANN: I guess
19 the question I have is, we have, I guess, our
20 rules say it has to be in writing with a
21 signature. But how does email count with
22 that?

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1 MS. McMANUS: I don't know.

2 SECRETARY THOMPSON: What we've
3 been doing is, we've been accepting complaints
4 even though they weren't coming in with a
5 signature.

6 COMMISSIONER HIENEMANN: Got you.

7 SECRETARY THOMPSON: That's really
8 just an issue I think over the years about the
9 technology.

10 MS. McMANUS: Right.

11 SECRETARY THOMPSON: You know, so we
12 we've always accepted, in fact, it would
13 appear that the preferred mechanism for most
14 people is an email.

15 MS. McMANUS: Email. Okay. So
16 that, so it would be transitioning them from
17 email to the use of just going to the dc.gov
18 website to submit a request. Or to call 311.
19 And that's kind of the transition for the
20 whole government is, to get them directly to
21 the use the web or to call 311 for a service.

22 CHAIRMAN SWAIN: Mr. Tapscott.

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1 COMMISSIONER TAPSCOTT: How do you
2 know that, when they call it in that they are
3 going to follow it up because there are so
4 many complaints that come in and then they
5 don't follow-up. So it would be redundant.

6 MS. McMANUS: Exactly. That's why
7 we made it better. Because the business
8 process that is implemented right now, to
9 satisfy the requests of the Mayor's office is
10 whether or not the optimal business process,
11 because it really doesn't do anything but just
12 alerts you that have a potential complaint.
13 That's why we're suggesting that instead of
14 having to follow-up in writing, that the, I
15 guess, the process be changed. So that they
16 could just call in. And not be required to
17 write in.

18 MS. JONES: And what would happen
19 at that point is, because just the way that we
20 manage service requests now, once the
21 complaint goes into the system, then the
22 Taxicab Commission would still be accountable

1 for responding to those complaints. And we
2 would be able to see within a centralized
3 database how many of those requests were
4 responded to, and within what performance
5 measures they were responded to. So it holds
6 a level of accountability toward the customer
7 and to the Taxicab Commission held
8 responsible.

9 COMMISSIONER TAPSCOTT: And would
10 we have to --

11 COMMISSIONER TRAVIS: I'd like to
12 ask you this, once phone calls go into 311, do
13 they just right away just forward them over to
14 the Commission to handle?

15 MS. McMANUS: No, the call is
16 recorded in the tracking system.

17 COMMISSIONER TRAVIS: It's being
18 recorded. Okay.

19 MS. McMANUS: Just the call, the
20 actual action is recorded in the system.

21 COMMISSIONER TRAVIS: Yes.

22 MS. McMANUS: And then the Taxicab

1 Commission would have access to the
2 information that has been actually --

3 COMMISSIONER TRAVIS: So when you
4 say that the Taxicab Commission has access to
5 that, you're saying that the Taxicab
6 Commission has to go into the online to find
7 out if there are any complaints? Or will
8 those complaints be forwarded straight to the,
9 to the office? Because, you know --

10 MS. McMANUS: They would have to
11 get online and pull any complaints that are
12 assigned to the Taxicab Commission. Similar
13 to other requests that are made through DDOT
14 and DPW today.

15 COMMISSIONER TRAVIS: Because I
16 know when I call Public Works or anything,
17 they take the complaint and then they --

18 COMMISSIONER ALLEN: Give me a
19 number.

20 COMMISSIONER TRAVIS: -- give me a
21 confirmation number.

22 MS. McMANUS: Yes.

1 COMMISSIONER TRAVIS: And then they
2 --

3 MS. JONES: The same system. Yes.

4 COMMISSIONER TRAVIS: -- make the
5 return call.

6 But then you are putting the
7 responsibility on the Commission and the
8 office to check the files regularly to see
9 what complaints have come in?

10 MS. JONES: Yes, ma'am.

11 COMMISSIONER ALLEN: What's
12 happening to the calls that are coming in
13 right now, while you are going through this
14 process? The ones that you are accepting at
15 this minute, what are we doing with them since
16 we haven't gotten into the system? Say I call
17 today, what happens?

18 MS. JONES: Well, what happens
19 today is that, we would actually take your
20 request or we would take the information and
21 then let you know that in order for it to be
22 considered a formal request, you would still

1 have to follow the rules that are in place now
2 and submit a request in writing to the Taxicab
3 Commission.

4 COMMISSIONER ALLEN: I can't write.

5 MS. JONES: It's the same thing as
6 if you would call the Taxicab Commission --

7 COMMISSIONER ALLEN: I can't write.

8 MS. McMANUS: Then --

9 MS. JONES: Then you would not
10 pursue --

11 MS. McMANUS: -- based on, I guess
12 the rules that are structured today, for the
13 Taxicab Commission, what did you refer to them
14 as?

15 MS. JONES: The Rulemaking.

16 SECRETARY THOMPSON: Rulemaking.

17 MS. McMANUS: Okay. You would have
18 to, it requires you to put it in writing.

19 COMMISSIONER ALLEN: Today I think that
20 someone would help a person who could not
21 write. One of our staff would assist them.
22 And they would have to -- there would be some

1 type of assistance made for that complaint.
2 So what's happening at 311, that if I should
3 happen to be a person in that disabling
4 condition, that did not allow me to write --

5 MS. JONES: Based on the rules that
6 are in place today, the Taxicab Commission
7 only allows for a written complaint. So if
8 you are going to call the Taxicab Commission
9 directly, they would --

10 COMMISSIONER ALLEN: We've been
11 there already. What I said was, okay, I'm
12 done now. I called. You tell me I got to
13 write something. I want to know that, can I
14 come into the call center and get assistance?

15 MS. McMANUS: No.

16 MS. JONES: No.

17 COMMISSIONER ALLEN: Okay.

18 MS. JONES: You can come to the
19 Taxicab Commission to get assistance.

20 COMMISSIONER ALLEN: Right. So, in
21 me calling you, if you can't do anything for
22 me.

1 MS. McMANUS: Right. And we
2 recognize that's it not --

3 COMMISSIONER ALLEN: Okay.

4 MS. McMANUS: -- the optimal
5 business process today. That's why we're
6 here. So if you can get the Rulemaking
7 changed so that all that person would have to
8 do is call.

9 MS. JONES: Right.

10 MS. McMANUS: They wouldn't even
11 have to come in to the Taxicab Commission.

12 MS. JONES: Exactly. We would be
13 able to assist them orally.

14 COMMISSIONER ALLEN: But the time
15 frame involved in rule changing, not just in
16 the commission but rule changing in our
17 government, how long is the process before it
18 is, you know, before this can be in effect?

19 MS. McMANUS: I couldn't speak on
20 that.

21 SECRETARY THOMPSON: No. Our
22 process for Rulemaking is that the Commission

1 votes on it. The ideal procedure is that it
2 goes to the Panel on Rates and Rules, first.
3 And then it comes before the full Commission.
4 The Commission votes on proposed Rulemaking.
5 Once they do that, it's published in the
6 Register. It also requires a public hearing
7 on the proposed Rulemaking. And this, and
8 this is running simultaneous with the time in
9 the Register. And then the next step is, you
10 know, we get comments, if there are any
11 comments that require that we change the rule,
12 we do so. And that would actually come back
13 at the Commission again because we are
14 changing it. But this only means, if there
15 are no changes, it goes to final. And then it
16 goes out.

17 So, there is a lag time in terms of
18 when we could make changes assuming that the
19 Commission wants to, chooses to make the
20 changes. I do have a question, I'm sorry.

21 COMMISSIONER ALLEN: I just wanted
22 to know that if this Commission, as a body,

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1 decided not to accept the Mayor's suggestion,
2 what impact will it have on the public?

3 MS. JONES: It would limit the
4 public's access by calling, not being able to
5 call 311 to deliver that particular service.
6 I mean, it just would not change anything
7 that's in place now.

8 COMMISSIONER ALLEN: That was my
9 words. You said the exact words, it doesn't
10 change anything.

11 SECRETARY THOMPSON: I'd like to
12 kind of pursue that a little bit. Because
13 what I would hope is that, this process would
14 enhance our process somehow.

15 MS. JONES: Okay.

16 SECRETARY THOMPSON: And I'm a
17 little confused about when a call comes in.
18 If in fact, that information is captured
19 electronically and can come to us, then I'm
20 not sure that you made that clear enough.
21 That that actually -- once we get it
22 electronically, for example, I suggested what

1 -- we do this currently, we get something
2 electronically. We actually send an email
3 back to the person confirming our receipt.
4 And in essence, the trail is there. So it's a
5 way of actually saying, "We've gotten it in
6 writing. Is this exactly what you said?"
7 Because it gets to the person -- and may even
8 be that we're asking, "Listen, you've got to
9 identify a vehicle. You can't just say it was
10 something. You know, you got to give us
11 something to work with.

12 MS. JONES: Okay.

13 SECRETARY THOMPSON: So, we go
14 through that process.

15 So is this process, in some way, is
16 it going to help us with that a little bit?
17 When you get the call, is it going to help us
18 move it along electronically? Is there any
19 way? Or is it just a recording that we would
20 be listening to?

21 MS. JONES: No. It's not a
22 recording. What happens is that there is a

1 database. The database is called Hansen.
2 Once the request is called in to the call
3 center, the representative manages the
4 customer through the intake process. Which
5 means that we would have to identify all the
6 requirements necessary in order to capture
7 what is considered a qualified complaint. So
8 if it requires a taxi vehicle ID number, maybe
9 a driver's ID number, we would go through all
10 of that and that information would then be
11 captured into the database.

12 The customer would then receive a
13 service request number which could be
14 considered their acknowledgment of the
15 complaint. Because if, once the request goes
16 in and they receive that request number, it's
17 in the database. So that is their
18 acknowledgment.

19 The Taxicab Commission staff would
20 then have access to that database. Where they
21 could go in and filter out and manage those
22 and investigate those requests.

1 Once we establish, we have not done
2 so, but the plan is, if it's passed, that we
3 can establish the same process online so that
4 those customers who have submitted a request
5 can, if they are a registered user of the
6 dc.gov website, they could, they can track
7 those requests online. And they can see the
8 updates on the investigation process.

9 So the customer has direct access
10 by either using the website or calling into
11 311 with their service request number. And if
12 they lose their service request number, just
13 like now with the other services that we
14 require, we could always go back in and find
15 that request.

16 CHAIRMAN SWAIN: Yes. We have
17 dealt with Hansen before. I'm sorry. We have
18 dealt with Hansen before. We found that there
19 were some serious limitations with Hansen.

20 MS. JONES: Okay.

21 CHAIRMAN SWAIN: I would tell you
22 that if you think that this is like a miff

1 complaint where, I got trash outside of my
2 door, we get pages. And I mean, you know, and
3 when the people are writing this, you know,
4 they are trying to be very detailed. Some of
5 the stuff that they give would be offensive to
6 a whole lot of people. But they tell exactly
7 what happened. And with that, they would say,
8 in order to pursue with the complaint, that's
9 the type of information we need.

10 So if Hansen, or if, just some of
11 the things are just going to be, we're asking
12 five questions, what when where -- that's not
13 it. I mean, these things have to be
14 completely detailed because to be honest with
15 you, if, unless they are detailed it's not
16 fair to the drivers. Because you gave us half
17 of the information and we can't -- it's not
18 fair to the driver. It's not fair to the
19 citizen. Because we can't proceed with a
20 complaint with absolutely no information or
21 just partial bits of information.

22 And I know from past experience,

1 when people get into a place where they are
2 starting to take complaints, they start to do
3 shorthand. They start to anticipate what
4 people are saying. And I'll be honest with
5 you, that's not what we need. We need
6 detailed reports. And I don't know whether or
7 not Hansen is the product that's going to
8 allow this to happen with the complaints that
9 we have.

10 Understand that anything that we
11 find, if we find a driver guilty, we're taking
12 money from somebody.

13 If we find that there's nothing to
14 substantiate the complaint these people will
15 still write back and try to get some more.
16 And try to add something to it. So would they
17 be able to go back and add additional
18 information in there?

19 Additionally, the drivers have the
20 right to be confronted by the person who's
21 accusing him.

22 And, you know, the thing about it

1 is that, you know, that -- I don't want you to
2 think that Hansen is going to be, we're going
3 to be able to squeeze this into it. Yes.
4 We're going to work with you.

5 MS. McMANUS: Well, I think Hansen
6 would be or any vehicle would be used as just
7 the first end of the process.

8 Your business process probably
9 requires now, just based on some of the things
10 that you've said, that you require additional
11 information from --

12 CHAIRMAN SWAIN: Okay.

13 MS. McMANUS: -- from a
14 complainant. Hansen would not change that or
15 any vehicle that we use to record that a
16 complaint has at least started.

17 CHAIRMAN SWAIN: Okay.

18 MS. McMANUS: You still may require
19 additional supporting documentation. And
20 we're not suggesting that you change that
21 business process.

22 CHAIRMAN SWAIN: Okay.

1 COMMISSIONER TRAVIS: I just don't
2 see, right now, I just don't see this as
3 proving practical.

4 Some of the phone calls that the
5 staff receives here really have ended on the
6 phone. Because people call in with what they
7 think that they have, let's say an overcharge,
8 for instance. Now, once they talk to the rep
9 who is out here who knows the charges, that is
10 the correct, you know, charge. And things
11 like that. But a lot of the staff is familiar
12 with what is going on, the rules and
13 regulations. It's a whole process that ends
14 right there.

15 And then to take, to expect that
16 the staff here would have to get on the phone,
17 because you'd have to have one person just
18 assigned to just going back into the system to
19 find out what complaints are made on a regular
20 basis. And transferring, getting them
21 transferred over. So I just don't see where
22 this is practical.

1 CHAIRMAN SWAIN: Mr. Tapscott.

2 COMMISSIONER TAPSCOTT: Thank you
3 Mr. Chairman for hitting on where I was going
4 with the drivers. This don't give the drivers
5 any kind of rebuttal to anything. It looks
6 like when the case comes up, it's already made
7 up against the drivers. Have the drivers
8 know, if somebody's made a complaint against
9 me, there's no way to get back to the drivers.

10 And then the other question, you
11 can't get back, but the other question is,
12 they shorted our staff. You're complaining
13 about staff shortage now, to take this on,
14 where does the staff coming from to do this?

15 MS. JONES: The issue is of the
16 complaints coming into your office now. And
17 when the complaints come into your office, we
18 are not trying to change how you manage your
19 complaints. All we're trying to do is, give
20 customers a different method in order to bring
21 those complaints in.

22 The call center staff --

1 COMMISSIONER ALLEN: I'm sorry.
2 Has the public accepted this process in its
3 totality, that you are trying to give the
4 customer? What input has the customer had in
5 this particular change?

6 MS. JONES: This has been
7 considered a soft launch which means we have
8 not advertised that you could call 311.

9 COMMISSIONER ALLEN: Yes you have.
10 But anyway --

11 MS. JONES: We have not. We have
12 not done it for taxicab complaints. What I'm
13 saying is that, the process in which you
14 handle complaints would not change. We're
15 giving customers a different means in order to
16 submit those complaints.

17 COMMISSIONER TAPSCOTT: I don't
18 understand that. I think this advertises that
19 you could call in 311 on a taxicab complaint.
20 Can you have any idea how many people are just
21 going to pick up the phone and call? They're
22 not going to follow-up with no complaints.

1 Because they got to put that in writing. But
2 you would be flooded with just calls, calls.

3 MS. JONES: We have been. I mean,
4 they have the option to call the Taxicab
5 Commission today.

6 COMMISSIONER TAPSCOTT: But they
7 are not going to just call and say, "A
8 cabdriver did something to me,@ without
9 backing up in writing.

10 MS. McMANUS: And then it may be
11 considered an invalid complaint. If they
12 can't substantiate their complaint. Same way
13 it is today. We're not changing your business
14 process.

15 COMMISSIONER HIENEMANN: I have one
16 question. I thought 311 was for police non-
17 emergency. When did it change?

18 MS. McMANUS: January.

19 COMMISSIONER HIENEMANN: January?
20 They just keep messing around with that, it
21 was just a general comment. Because I would
22 have called 311 for non-emergency police. So

1 --

2 MS. McMANUS: It's the city service
3 number.

4 COMMISSIONER HIENEMANN: But that
5 used to be 727-1000.

6 MS. McMANUS: Right. And 727-1000
7 has merged into 311.

8 COMMISSIONER HIENEMANN: Okay.

9 COMMISSIONER TRAVIS: Mr. Chairman,
10 I heard that, Mr. Chairman.

11 CHAIRMAN SWAIN: Okay. Go ahead.

12 COMMISSIONER TRAVIS: When I first
13 heard that they were streamlining this because
14 of a lot of people from the public were having
15 problems with 727-1000, where did that fallacy
16 come in? You know, because that was the
17 greatest thing in the world, calling the 727-
18 1000.

19 MS. McMANUS: I don't think the
20 issue was that people have problems with the

21 --

22 COMMISSIONER TRAVIS: I heard there

1 was a lot.

2 MS. McMANUS: Some people had
3 problems with 311 because we are using the
4 same staff to answer police emergency calls as
5 well as non-emergency calls.

6 So we use 311 for a city service
7 number as they do in other jurisdictions.

8 COMMISSIONER ALLEN: We are not in
9 the other jurisdictions. And I want those to,
10 not only address this body, that our
11 comparison is not with any other jurisdiction.
12 Because the District is, the District of
13 Columbia. And we don't compare to anything,
14 any other city, any other state. If when you
15 said other jurisdictions, you are speaking of
16 states, we have not gotten that right yet. So
17 please. Thank you.

18 CHAIRMAN SWAIN: Mr. Carter.

19 COMMISSIONER CARTER: The challenge
20 to me is, what happens when our complaint
21 leads to litigation or, in essence, starts a
22 form of litigation? To me, you all can not

1 take in enough information. Am I right? You
2 all would be outlining, in essence, I have a
3 complaint.

4 COMMISSIONER ALLEN: Okay.

5 COMMISSIONER CARTER: I pick up the
6 phone. And I have a complaint. My shoe is
7 untied. You in essence, would go through a
8 series of questions and answers, or what are
9 we doing?

10 MS. McMANUS: We would at least
11 compile information as dictated by the Taxicab
12 Commission. Whatever the requirements are in
13 order to begin a complaint process.

14 COMMISSIONER CARTER: I see. So my
15 thing is, you know, we are in a litigatory
16 state when we receive a complaint here. We
17 can either resolve it here immediately or we
18 can, we go into a form of litigation. And
19 that's my big concern.

20 CHAIRMAN SWAIN: All right. I
21 understand that and I'm going to let, what I'm
22 going to do is that. As everybody can see

1 right now, you know, we really have been
2 having working sessions on this. I wanted
3 everyone to understand what's about to happen
4 and where we are going.

5 But you know, so we would be
6 working very closely -- it would probably come
7 up for a trial period with this. But we need
8 to get together with all the Commissioners in
9 a working session and to deal with this issue.
10 So what we will do is that, I'm going to take
11 Ms. Robinson's comments because she has been
12 extremely patient. So I have no problems with
13 that, so, I'm going to go ahead and let her
14 make her comment. And then I think that you
15 had an amendment, I forgot.

16 We have a number of other items on
17 the agenda. But we will definitely be setting
18 up a working session with both Ms. McManus and
19 Ms. Jones and with the Commissioners so we can
20 go ahead.

21 Ms. Robinson.

22 MS. ROBINSON: My name is -- can

1 you hear me?

2 CHAIRMAN SWAIN: Yes.

3 MS. ROBINSON: I'm Carolyn
4 Robinson, Yellow Cab 800, and I have a real
5 concern with the presentation from Ms. Jones
6 and Ms. McManus. The Hansen application is a
7 generic form. I really don't think it would
8 accommodate the Taxicab Commission.

9 I'm also familiar with the
10 telephone reporting unit that she's referring
11 to that takes the calls. And I don't think it
12 will be adequate for the Taxicab Commission
13 because, as you all have already said, there
14 are a lot of things that are detailed with
15 that.

16 And I have another question. I
17 thought even though Ms. Jackson is supposed to
18 be handling the complaints, I thought the
19 complaints were supposed to go over to OAH.

20 So I got, I have a lot of concerns
21 with this system. The Hansen System is not an
22 adequate system for the D.C. Taxicab

1 Commission. And I'm familiar with the system.
2 The telephone reporting unit. And with the
3 Office of Unified Communications. Thank you.

4 CHAIRMAN SWAIN: Thank you ma'am.
5 Mr. Price. Can you identify yourself for --

6 MR. PRICE: My name is Nathan
7 Price. I'm the Chairman of the DCPDA. Also
8 presently the Chairman of the Coalition of the
9 Taxicab Drivers and Associations. I'll sign
10 in first before I get arrested.

11 My concern is this, this is another
12 case of the administration putting the horse
13 before the cart. And what I mean by that is
14 that, the administration is trying to shine
15 its own armor at the expense of the Taxicab
16 Commission and the taxicab industry.

17 This industry, for the past 15
18 years, the budget has been cut. The staff has
19 been dwindling. Everything that 311 should be
20 doing, this agency, at one time, did. When
21 it, when it first came about.

22 However, what is happening is that,

1 the politicians whether they are on the
2 council or the or the Mayor's seat and those
3 who are running, including the city
4 administrator, they are trying to say, we need
5 to sharpen our image. Well, this agency needs
6 money.

7 In the first place, they are not
8 even receptionists. 311, as a call center, is
9 basically like a receptionist. This agency
10 doesn't have the staffing or the money for
11 one. It needs complaint resolutionists, it
12 needs that.

13 You are exactly right. For years,
14 calls have been coming into this agency and
15 they've been saying -- you meant to call in,
16 nothing happens. There was no tracking
17 mechanism or if there was, it was very weak.
18 That was an embarrassment to the whole
19 industry. And the taxicab drivers took the
20 brunt of it. Well, it wasn't fair to them.
21 It also wasn't fair to this sub-agency.

22 The problem was that, it was always

1 the administration and their council luckily
2 that put some money in the budget to get us
3 additional hack inspectors. I hope they do an
4 effective job in policing our industry.

5 However, there's other things that
6 they are trying to do to shine the image up.
7 These people need money. So if you just come
8 over to them and say, "We are going to do
9 this." And they make the government look
10 good. But if they don't have the funds, the
11 complaint resolutionists, they're hearing
12 examiners, there's a lot of things that was,
13 the hearing examiner process was supposed to
14 come back to the Taxicab Commission and not
15 OAH.

16 Now, all of a sudden, the burden is
17 being placed back on them because they're the
18 ugly ducklings. As a, and what happens to
19 them is that, we become the feces that the
20 ugly duckling puts out. Because we're the
21 ones that really look really dumb and bad.

22 But the problem is that, it's all

1 about money. How money is shifted in this
2 government has given us a bad image. So I
3 wish you take back, because I have nothing to
4 blame this agency for, and that, with that
5 regard, take back to the people who in that
6 administration where you come from and say,
7 "They need money to do these things."

8 Because it's unfair to the drivers
9 as some of the Commissioners here have
10 reported, that a complaint comes in on a
11 driver and all of a sudden he has to come off
12 the street. That's time, that's money.
13 That's out of his income. You get paid by the
14 hour. When he's off that street, that's
15 income that his family loses. Now he has to
16 possibly face someone. The person don't show
17 up, it's dismissed. Still, he has lost money.

18 Somewhere along the line, respect.
19 But not only this administration, past
20 administrations as well, it needs to start
21 somewhere.

22 Because if you want to really --

1 the truth needs to be told about the weakening
2 of this agency and how it has ruined the image
3 of the Taxicab Commission. Thank you very
4 much.

5 CHAIRMAN SWAIN: Thank you Mr.
6 Price.

7 And with that, we are going to move
8 on with the agenda. We will be in contact
9 with you. Thank you very much.

10 Okay. I'm going to move on with
11 the agenda. We have the minutes for
12 September. Did everyone receive a copy of the
13 September minutes?

14 And I promise the audience it will
15 not be like the last time. I'm moving along.

16 Any concerns of the September
17 minutes?

18 Mr. Carter.

19 COMMISSIONER CARTER: At this time,
20 I would like to move that these, the minutes
21 for the September minutes of the meeting be
22 accepted as they are.

1 CHAIRMAN SWAIN: Thank you. Do I
2 have a second?

3 COMMISSIONER HIENEMANN: Second.

4 CHAIRMAN SWAIN: Thank you. It's
5 been moved and seconded. I believe that Mr.
6 Carter was seconded by Mr. Hienemann.

7 COMMISSIONER HIENEMANN: Hienemann.

8 CHAIRMAN SWAIN: Hienemann. I
9 never can get your name right.

10 Any questions or concerns?

11 Call for the vote please. All in
12 favor of accepting the motion made by Mr.
13 Carter and seconded by Mr. Hienemann in
14 accepting of the minutes, say, "Aye".

15 (Chorus of ayes.)

16 All opposed?

17 (No audible reply.)

18 Thank you.

19 COMMISSIONER ALLEN: Abstain. You
20 didn't ask for abstentions.

21 CHAIRMAN SWAIN: I'm sorry.

22 COMMISSIONER ALLEN: You didn't ask

1 for abstentions. I'm abstaining.

2 COMMISSIONER TAPSCOTT: I'm
3 abstaining also.

4 CHAIRMAN SWAIN: All right. We
5 have two abstentions. Commissioner Allen and
6 Commissioner Tapscott.

7 COMMISSIONER TAPSCOTT: Abstain.

8 CHAIRMAN SWAIN: Yes.

9 COMMISSIONER TAPSCOTT: Unless we
10 want to add an, "as written". Because it
11 might be some corrections that it needs, we
12 haven't had time to read this really. I know
13 you sent it out in the mail but to really to
14 sit down and -- I say, "as written".

15 SECRETARY THOMPSON: Those minutes
16 were sent out two months ago. And
17 Commissioners were asked to make any
18 corrections. Over two months. In fact, after
19 our last meeting.

20 CHAIRMAN SWAIN: I take it by the
21 silence -- you said -- Mr. Tapscott do you
22 have anything else to say, sir?

1 COMMISSIONER TAPSCOTT: No.

2 CHAIRMAN SWAIN: Thank you.

3 PARTICIPANT: I thought it was the
4 transcript that was out months ago.

5 CHAIRMAN SWAIN: No. Okay. The
6 status of the January meetings. Our January
7 meetings were prepared. But the length of the
8 meetings -- I'm sorry. I'm sorry.

9 CHAIRMAN SWAIN: I said meetings or
10 minutes?

11 MS. ROBINSON: Yes, you said
12 meetings.

13 CHAIRMAN SWAIN: Thank you Carolyn.
14 Minutes. I got meetings and meetings --
15 okay. Our January minutes were prepared. But
16 to be honest with you, the length of those
17 minutes, we were just not comfortable right
18 now with sending them out without affording
19 the Commissioner's adequate time to review
20 them. We have a target date of Friday to get
21 them off. But we've had some computer
22 glitches. But we will get that out and we

1 will ask that you review those.

2 But yes we can have those to you
3 today. We do have them now.

4 Okay. An update on the panel
5 meetings. Yes. The September meetings,
6 minutes.

7 COMMISSIONER ALLEN: Okay.

8 CHAIRMAN SWAIN: I'm still saying
9 minutes. I thought I did.

10 COMMISSIONER ALLEN: No, you didn't
11 say that.

12 COMMISSIONER CARTER: You didn't
13 say that.

14 CHAIRMAN SWAIN: Thank you Mr.
15 Carter. Thank you Ms. Allen.

16 The minutes from the September
17 meeting were approved.

18 Thank you for bringing that to my
19 attention Ms. Allen, Mr. Carter. I hope to do
20 the same for you one day. Okay.

21 We're going to -- I'd like to go
22 down to the panel, an update on the panel

1 meetings. Mr. Tapscott.

2 COMMISSIONER TAPSCOTT: Yes. Down
3 at item, where is it? Item 6 on the -- how
4 come we are skipping over, is there a reason
5 we are skipping over 4, 5 and so forth?

6 CHAIRMAN SWAIN: Because I am
7 trying to get the vote items in here. As I
8 said earlier, I have to leave because I have a
9 medical thing that has to be taken care of.
10 So I will be leaving. And so I am trying to
11 get to the vote items as fast as I can.

12 COMMISSIONER TAPSCOTT: And we will
13 go back and --

14 CHAIRMAN SWAIN: I will, I will
15 tell you everything that I know. And I'll be
16 looking for you to tell me what you know. Is
17 that --

18 COMMISSIONER TAPSCOTT: No. But we
19 will go back to the --

20 CHAIRMAN SWAIN: Yes sir, we will.

21 COMMISSIONER TAPSCOTT: -- that's
22 all I'm saying.

1 CHAIRMAN SWAIN: Yes sir.

2 COMMISSIONER TAPSCOTT: All right.

3 CHAIRMAN SWAIN: Okay. The major
4 item which came from the Panel on Rates and
5 Rules was to modify the meter rulemaking to
6 insure that the emergency surcharge was
7 authorized. As you know, at our January
8 meeting we authorized the \$1.00 gasoline
9 surcharge to expire on May 28th.

10 And according to our Legal Counsel
11 Division, a provision was needed to attach to
12 the rulemaking of the surcharges to remain
13 into effect after the meter implementation
14 date. Accordingly, the Legal Counsel
15 Division, the Chairman is authorized to add
16 this provision. Okay.

17 And I'd like to discuss that with
18 you today with the Commissioners, especially
19 since the permanent rates, we had a permanent
20 rate request coming up also.

21 COMMISSIONER CARTER: Could you,
22 could you give us the date of the permanent

1 rate?

2 CHAIRMAN SWAIN: Well, in March we
3 were, in the January meeting, I asked about
4 the feasibility of us getting together to work
5 on and get the information so we could start
6 talking about a permanent rate request. We're
7 mandated to do that every two years. And we
8 have not done it. And so that was, we're
9 going to have a working session on that. So
10 we can get together and start talking about
11 that.

12 And I'd also asked for information
13 to be presented to us by the drivers for the
14 cost of doing business and things of that
15 nature. So we can make a reasonable, you
16 know, ruling on that. Any questions?

17 COMMISSIONER CARTER: Is this, will
18 this be in in continual study or when will we
19 start this? Or, as you see it.

20 CHAIRMAN SWAIN: I'd like to see us
21 get started with this in the next couple of
22 weeks.

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1 Ms. Allen, I see a question coming.

2 COMMISSIONER ALLEN: We start --
3 the meter goes into effect with the, when they
4 drop rate, already.

5 CHAIRMAN SWAIN: Yes.

6 COMMISSIONER ALLEN: What impact
7 does this rate have on -- are we going to get
8 \$3.00 to sit on the seat? And then you're
9 talking about -- so what does this mean with
10 that? Does this increase the \$3.00? Is this
11 just -- what happens? You know, you're
12 talking to me and and that means that I'm not
13 thinking real clear this morning, so help me
14 out. To me, that's two separate, two separate
15 prices. And so do they combine the rate of
16 change that, the drop rate to \$4.00? What
17 happens? What does this do in the scheme of
18 where we are today?

19 CHAIRMAN SWAIN: In the scheme of
20 where we are today, even though we do have a
21 proposed drop rate formula in this and
22 anything else, we'll still have the mandate to

1 where we have to go back and review the rate
2 structure.

3 And so, what I'm asking is that, we
4 get together and we review --

5 COMMISSIONER ALLEN: Okay. Mr.
6 Chairman --

7 CHAIRMAN SWAIN: Yes.

8 COMMISSIONER ALLEN: -- why? I
9 guess that's my question. If, as we sit here
10 right now, we wouldn't decide --

11 CHAIRMAN SWAIN: You're absolutely
12 right.

13 COMMISSIONER ALLEN: -- the drop,
14 the rate for using, the cab with the meter,
15 why are we looking at another rate that will,
16 we don't have any idea whether it will be
17 considered. It's -- that's my question. Why
18 are we doing this, if we don't have any real
19 authority in the end as it has been proven in
20 the last two months?

21 CHAIRMAN SWAIN: Well, I think the
22 reason that we're doing this is, one, because

1 it's mandated that we do it. That we have the
2 --

3 COMMISSIONER ALLEN: Well, it's
4 mandated then we may do the decision on what
5 the drop rate and what the drop by rule. I
6 mean, if we don't, we will either go by the
7 rules or we not going to go by the rules. The
8 rule says, we set rates. How does, how do,
9 we, Commission, okay, Commission set rules.

10 We did not do that Mr. Chairman.
11 And now you're asking us to look at rates for
12 ongoing. I don't -- I'm confused. Either we
13 set rates or we don't. I mean, I'm -- and I
14 know what the book says. You're telling me
15 that the rules said, but the rules have said
16 that all along. So how -- I mean, the rule
17 wasn't changed. So I'm just a little confused
18 today. Thank you.

19 CHAIRMAN SWAIN: Okay. So is it
20 your expectation, your position that the
21 surcharge would expire in May?

22 COMMISSIONER ALLEN: It was not my

1 -- as a matter of fact, I think I'm the one
2 that put the surcharge through.

3 CHAIRMAN SWAIN: I agree.

4 COMMISSIONER ALLEN: And so I don't
5 think that I would say, that it would expire.
6 But what difference does it make what I think
7 at this junction?

8 CHAIRMAN SWAIN: Well, because the
9 surcharge, I --

10 COMMISSIONER ALLEN: So where does
11 the surcharge go Mr. Chairman? That's my, I
12 think that's the basis --

13 CHAIRMAN SWAIN: The surcharge
14 goes, right now, the surcharge goes on in
15 addition to the meter fare.

16 COMMISSIONER ALLEN: So you're
17 telling me that the drop charge to just sit
18 down in the cab charge is, instead of \$3.00,
19 it's \$4.00, if we keep the surcharge going. Is
20 that what --

21 CHAIRMAN SWAIN: I'm telling you
22 that the meter is such that --

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1 COMMISSIONER ALLEN: -- it's --

2 CHAIRMAN SWAIN: -- I know. I
3 know. I know Sandra, I mean Ms. Allen.

4 COMMISSIONER ALLEN: Okay. Well,
5 can you then please tell me --

6 CHAIRMAN SWAIN: The meter has a
7 drop rate of \$3.00.

8 COMMISSIONER ALLEN: Right.

9 CHAIRMAN SWAIN: The \$1.00 gasoline
10 surcharge is in effect. And will be added as
11 a surcharge fee.

12 COMMISSIONER ALLEN: Okay. So this
13 means that the -- wait a minute. That means
14 that the rate is \$4.00.

15 CHAIRMAN SWAIN: No. The rate is
16 \$3.00 and the --

17 COMMISSIONER ALLEN: Okay. 3.00
18 plus the surcharge. Okay. I'm John Doe,
19 everyday citizen. I don't know nothing about
20 the surcharge. I know that you are charging
21 \$4.00 when I sit on your seat.

22 CHAIRMAN SWAIN: Well, that's just

1 like you had an additional passenger, it would
2 be \$4.00. And then another dollar, I mean a
3 dollar fifty on top of that.

4 COMMISSIONER ALLEN: Most people
5 know about the additional passenger.

6 CHAIRMAN SWAIN: Yes. Most people
7 know about the surcharge too. And it's there
8 and all I'm trying to do is --

9 COMMISSIONER ALLEN: Okay. All
10 right.

11 CHAIRMAN SWAIN: -- go past the
12 28th.

13 COMMISSIONER ALLEN: All right.
14 You past the 28th, no I don't think, I'm not
15 going to ever take the surcharge off as long
16 as, if, as gas rates are going up.

17 CHAIRMAN SWAIN: Thank you.

18 COMMISSIONER ALLEN: Okay. All
19 right. So that's -- but I just needed to know
20 what it did with these taxi meters. With the
21 meters saying \$3.00, that was all I'm, that's
22 all I wanted you to explain to me is, what

1 does the surcharge do in relationship --

2 CHAIRMAN SWAIN: Yes, ma'am.

3 COMMISSIONER ALLEN: -- to -- what
4 is it? Drop --

5 CHAIRMAN SWAIN: I'm going to get
6 to that just right now.

7 COMMISSIONER ALLEN -- drop rate.

8 CHAIRMAN SWAIN: I'm dealing with
9 that right now. Sir?

10 COMMISSIONER HIENEMANN: I guess
11 the question I have is, with this, you said
12 we're going to be looking at the rates again?

13 CHAIRMAN SWAIN: Yes.

14 COMMISSIONER HIENEMANN: And that
15 is part of our authority to look at it every
16 two years.

17 CHAIRMAN SWAIN: Yes.

18 COMMISSIONER HIENEMANN: So --

19 CHAIRMAN SWAIN: I know what you
20 are going to --

21 COMMISSIONER HIENEMANN: -- you
22 know what I am going to say.

1 CHAIRMAN SWAIN: -- I know where
2 you are going. I know where you are going but
3 --

4 COMMISSIONER HIENEMANN: But let,
5 just let me think this through.

6 CHAIRMAN SWAIN: Okay.

7 COMMISSIONER HIENEMANN: So this,
8 so we're reverting back to our Commission's
9 authority to review and set rates. Is that
10 correct?

11 CHAIRMAN SWAIN: I am only saying
12 that --

13 COMMISSIONER HIENEMANN: That's
14 correct, right?

15 CHAIRMAN SWAIN: No, no, no, no,
16 no. What I am saying is that, I need to get a
17 rate review started. And that's what I am
18 requesting. Now, do I plan on sitting here
19 saying that I have the authority of rate
20 making for meters and everything to -- right
21 now, that's something for the courts to
22 decide. All I'm saying is that I'm trying to

1 cover both bases.

2 COMMISSIONER HIENEMANN: Got -- no,
3 I, no , I just wanted to makes sure.

4 CHAIRMAN SWAIN: Yes. I'm just
5 trying to cover both bases.

6 COMMISSIONER HIENEMANN: So what
7 happens if we go through the process and we
8 conclude that the initial rate that you had
9 suggested back in October as a \$4.00 drop rate
10 was the right way to go? What happens then?
11 So work with me. So if decided, we look at it
12 and we said, "You know, you know, we foresee
13 gas, gas prices continuing at \$4.00, you know,
14 up \$4.00 a gallon. It's going to go up for
15 the foreseeable future." Do we have that
16 authority --

17 CHAIRMAN SWAIN: Right now --

18 COMMISSIONER HIENEMANN: -- to
19 reset --

20 CHAIRMAN SWAIN: -- for meters, the
21 authority is vested in me. Right now, I
22 understand that I'm waiting for an opinion

1 from the courts.

2 COMMISSIONER HIENEMANN: Got it.

3 CHAIRMAN SWAIN: But all I'm, all
4 I'm saying is that, instead of waiting to the
5 last minute and not do anything, let's cover
6 both sides of the base.

7 COMMISSIONER HIENEMANN: Okay.

8 COMMISSIONER TRAVIS: So, Mr.
9 Chairman you're asking that we propose some
10 formal rates right now. Because you have the
11 meter rates already --

12 CHAIRMAN SWAIN: No, ma'am. No.
13 No. No, we're not talking about doing
14 anything.

15 COMMISSIONER TRAVIS: No, we said
16 we were going to look at, look at the rates we
17 are able to use --

18 CHAIRMAN SWAIN: We're talking
19 about the cost of doing business for the
20 cabdrivers. And what I'd like to do is, I'd
21 like sit down with you all --

22 COMMISSIONER ALLEN: Okay.

1 CHAIRMAN SWAIN: -- and talk about
2 that. Talk about the cost of doing business
3 so we can come -- if -- so we can come up --
4 I'd like to get some recommendations from you.

5 COMMISSIONER TRAVIS: Well, it
6 basically comes back to exactly rules and
7 rates. The rates that we had been doing all
8 along, if you said you are trying to cover
9 both bases --

10 CHAIRMAN SWAIN: No. I'm not
11 talking about both bases insofar as rate. I'm
12 talking about both bases as whether or not,
13 the bases is going to be for meters. The
14 surcharge, I think that they are just going to
15 be for --

16 COMMISSIONER TRAVIS: But you said,
17 for meters, you don't have that yet.

18 CHAIRMAN SWAIN: No --

19 COMMISSIONER ALLEN: It's in court.

20 CHAIRMAN SWAIN: -- I said, it's in
21 court. But the thing about it, what I was
22 saying is that, all I'm attempting to do is,

1 instead of waiting for the last minute, let's
2 say the courts rule against us, if we wait
3 until the last minute. Okay. Let's say the
4 courts rule against --

5 COMMISSIONER ALLEN: The Mayor.

6 CHAIRMAN SWAIN: -- the Mayor.

7 COMMISSIONER TRAVIS: All right.

8 CHAIRMAN SWAIN: All right. The
9 only thing is that I am saying is that, I want
10 to start the process to cover both sides of
11 the base.

12 COMMISSIONER TRAVIS: And that
13 really goes back to to to establishing through
14 rates in case the court comes up in favor of
15 the drivers, that --

16 SECRETARY THOMPSON: Mrs. Travis, I
17 think the confusion may be what is the issue
18 that's on the table. Congress dictated
19 meters.

20 COMMISSIONER ALLEN: No, they did
21 not. No, they did not.

22 SECRETARY THOMPSON: Miss, can I

1 speak? Unless the Mayor opts out. I can't
2 finish the sentence. Okay. That's all I'm
3 saying. So, I presume that what we're doing
4 here when we bring up the issue of looking at
5 costs, is just to get a sense of, we're at
6 some point going to be faced with either the
7 surcharge expiring. And so it's really what
8 --

9 COMMISSIONER ALLEN: The surcharge
10 what?

11 SECRETARY THOMPSON: Expiring.
12 Sorry.

13 COMMISSIONER ALLEN: Okay.

14 SECRETARY THOMPSON: The surcharge
15 expiring. I mean, that may, it goes to May
16 28th. So that's really the question. The
17 basic question. What happens --

18 CHAIRMAN SWAIN: Ms. Robinson.

19 MS. ROBINSON: We have really bad
20 transfers. Really bad transfers.

21 SECRETARY THOMPSON: So it --
22 that's really the question, I think. What

1 happens with the surcharge expiring? What
2 happens with the surcharge when the meter rate
3 goes into effect? Those are the two issues.

4 COMMISSIONER TRAVIS: No. That's
5 not just all from what the Chairman said. The
6 Chairman said he wants to take a look at the
7 situation so he can cover both bases. I'm
8 interpreting that to mean, both bases would
9 mean whether or not that the time and distance
10 meters get in with what the Mayor wants? Or
11 if the court says that it's a legal way is
12 being done? And you'll still be stuck with
13 the, with the, with the zoning fares. Because
14 that is what hasn't been established right
15 now.

16 SECRETARY THOMPSON: If the court
17 says, the Mayor's procedure is inaccurate, it
18 comes back to the Commission for the
19 Commission's decision.

20 COMMISSIONER TRAVIS: Right. So
21 when you cover both bases then you're going to
22 --

1 SECRETARY THOMPSON: I think you
2 are interpreting what both bases mean --

3 COMMISSIONER TRAVIS: Well --

4 SECRETARY THOMPSON: -- when what I
5 was trying to get at --

6 COMMISSIONER TRAVIS: -- the
7 chairman define exactly what he means when he
8 says, "both bases".

9 SECRETARY THOMPSON: And I --
10 that's what I was adding.

11 COMMISSIONER TRAVIS: I'm not, I'm
12 asking the Chairman.

13 SECRETARY THOMPSON: I'm actually
14 saying the Commission needs to look at the
15 fact that the surcharge --

16 COMMISSIONER TRAVIS: Mrs. --

17 SECRETARY THOMPSON: -- is going to
18 expire.

19 COMMISSIONER TRAVIS: -- Mrs.
20 Thompson, I'm asking the Chairman to explain
21 to me what he means when he says, he wants to
22 cover both bases. I'm not asking you to talk

1 for him. I'm asking the Chairman.

2 SECRETARY THOMPSON: Mrs. Travis --

3 CHAIRMAN SWAIN: Mrs. Travis. Mrs.
4 Travis.

5 SECRETARY THOMPSON: -- there's no
6 need to be insulting.

7 COMMISSIONER TRAVIS: I'm not being
8 insulting.

9 SECRETARY THOMPSON: It is coming
10 across that way. I'm sorry. It is.

11 COMMISSIONER TRAVIS: No, I'm not
12 --

13 SECRETARY THOMPSON: It is coming
14 that way, across that way.

15 I'm only trying to narrow the issue
16 for you. That you have an upcoming issue on
17 the surcharge. That's all.

18 COMMISSIONER TRAVIS: Mrs.
19 Thompson, you are missing the point.

20 SECRETARY THOMPSON: I'm not
21 missing the point.

22 COMMISSIONER TRAVIS: Yes, you are.

1 SECRETARY THOMPSON: You can not
2 speak for me.

3 COMMISSIONER TRAVIS: You are
4 missing the point.

5 SECRETARY THOMPSON: You can not
6 speak for me. I am not missing the point.

7 COMMISSIONER TRAVIS: I asked the
8 Chairman if he would relate to me what he
9 means.

10 SECRETARY THOMPSON: We heard that
11 Mrs. Travis.

12 COMMISSIONER TRAVIS: All right
13 then --

14 SECRETARY THOMPSON: But then you
15 are saying, I'm speaking for him. And what
16 I'm doing as the attorney was --

17 COMMISSIONER TRAVIS: No.

18 SECRETARY THOMPSON: -- was
19 pointing out -- Ms. Travis, I'm only trying to
20 get the thought that, there's an issue coming
21 up.

22 COMMISSIONER TRAVIS: Excuse me Mr.

1 --

2 CHAIRMAN SWAIN: Ms. Travis --

3 COMMISSIONER TRAVIS: -- would you

4 --

5 CHAIRMAN SWAIN: -- Ms. Travis, Ms.

6 Ms. --

7 COMMISSIONER TRAVIS: -- if you

8 would --

9 CHAIRMAN SWAIN: -- yes, yes, I
10 will, I will go over it and tell you what they
11 are.

12 COMMISSIONER TRAVIS: Thank you.

13 CHAIRMAN SWAIN: The surcharge
14 goes, it stays into effect until the 28th.
15 There's some wording in our regulations that
16 needs to be corrected. All right. That's one
17 part of it.

18 The other part of it is that, I
19 still want to find out the cost of doing
20 business from the cabdrivers. We've talked
21 about it. And all I'm doing is saying that I
22 want to convene a working session so we can go

1 ahead and get that part out. Because, if
2 there is any consideration being made, I'd
3 like to have all of the information made
4 available to me. And I'd like to sit down and
5 discuss it in a working session.

6 Now, the part having to do with the
7 gasoline surcharge, is there a gasoline
8 surcharge? Yes, it is. The gasoline
9 surcharge stays into effect until the 28th. We
10 have to do something. There needs to be
11 something added to extend the gasoline
12 surcharge once the meter issue goes into
13 effect in March, on May 1st. And so that's all
14 that is.

15 Now, if I was not clear, I
16 apologize on that. But that is the issue
17 that's before us.

18 COMMISSIONER HIENEMANN: I get it.

19 CHAIRMAN SWAIN: Mr. Tapscott.

20 COMMISSIONER TAPSCOTT: Mr.
21 Chairman, I am so confused right now that I
22 don't even know what to say.

1 CHAIRMAN SWAIN: Mr. Tapscott --

2 COMMISSIONER TAPSCOTT: Number one,
3 number one -- I didn't ask you to call Mr.
4 Tapscott. Number one, I think we are getting
5 a little confused on the gas surcharge and the
6 rulemaking on the rates and rules for setting
7 the rates for cabdrivers. Gas surcharge has
8 nothing to do with that. Gas surcharge is put
9 it when it's necessary and take it out when
10 it's necessary. It has nothing to do with the
11 two year thing we are supposed to do each
12 year. It's got nothing to do with that, as
13 far as I'm concerned.

14 The other, the other picture is,
15 what are we going to do? We don't know what
16 we going to have from two years from now. We
17 don't whether we're going to have the zoning
18 system or whether we're going to have the time
19 and distance.

20 So why are we spinning our wheels
21 here now, until we find out what we are going
22 to have? Then we can look at, we need to

1 have, on looking at that, you need to get a,
2 how much it costs in the repair shop. How
3 much it costs for tires. And all this get
4 together. When we've been doing it in the
5 past year. Now maybe there's something new
6 for the new administration. But it's a lot of
7 data that you need to get together to do a
8 rulemaking on whether we, prices need to go up
9 or go down. Which has nothing to do with the
10 gas surcharge.

11 CHAIRMAN SWAIN: Mr. Tapscott, yes.
12 You're right. But, in the same respect, all
13 I'm saying is that, we need to start both, I
14 spoke that, two different processes and we
15 need to start both of them.

16 Now, with one having to do with the
17 gas surcharge I've explained that.

18 The one having to do with the
19 review of the cost of doing business, I want
20 to get that started. Now, I said that back in
21 January. I said it earlier. And I don't
22 think that we should sit here and wait for a

1 court ruling to start gathering information.
2 Because you know what? While we're sitting
3 here waiting for a court ruling which could be
4 something that's extended, the cabdrivers
5 still don't get the benefit of providing us
6 with their, they won't getting the benefit of
7 dealing with you. Why should we sit here, why
8 should we sit here and wait until the last
9 minute, which this Commission has a history of
10 doing, wait until the last minute and then
11 coming up with something?

12 All I'm saying is that two
13 processes, we can get both processes started.
14 The mere fact that it's in court does not keep
15 us from getting the process started. And as
16 you said, there's not something that's going
17 to be done overnight. So why are we going to
18 sit here, wait 60-90 days before we start the
19 other process? And that's all I'm saying.

20 COMMISSIONER TAPSCOTT: Why --

21 COMMISSIONER ALLEN: Mr. Chairman

22 --

1 COMMISSIONER TAPSCOTT: -- you
2 know, we are going to look quite stupid, I
3 think, as a Commission if we come up and have
4 -- you look at the fare structure, you or
5 whoever did it, has set the \$3.00 drop charge.
6 It goes into effect whenever. May 1st.
7 According to the way it is right now. And we
8 go and have a meeting all of us Commissioners,
9 which we had nothing to do with that, we were
10 not involved in setting the \$3.00, supposing
11 we go in and look at it, it should have been
12 \$5.00? What is this going to make this city
13 look like that we put in \$3.00 and two months
14 later it jumps to \$5.00?

15 CHAIRMAN SWAIN: Mr. Tapscott, all
16 I'm saying is that we start a process to start
17 gathering the information. And what you're
18 telling me is that, we should sit here and do
19 nothing but twiddle our thumbs --

20 COMMISSIONER TAPSCOTT: I didn't
21 say that. I didn't say that. But question
22 number one, there's supposed to be a committee

1 set up to do that.

2 CHAIRMAN SWAIN: Well, what do you
3 think I was asking for Mr. Tapscott?

4 COMMISSIONER TAPSCOTT: I haven't
5 heard you say you were setting a committee on
6 doing that. To name anybody --

7 CHAIRMAN SWAIN: I think that you
8 were the only person that didn't Mr. Tapscott.
9 I know you're confused.

10 COMMISSIONER TAPSCOTT: You get
11 upset. I mean, I'm going to have my say as
12 well as you are.

13 CHAIRMAN SWAIN: Ms. Allen.

14 COMMISSIONER ALLEN: Is it
15 appropriate for me making a motion that we
16 continue the surcharge for another -- okay,
17 it ends on the 28th of May, then we extend it
18 for another two months until we've gotten all
19 this straight? Is that, is that, is that a
20 problem Mr. Chairman? That's where I am right
21 now. I'm -- that's a motion that I would like
22 to make. It would -- and then, as we gather

1 information, as we find out what the rate is
2 going to be, that the drivers won't lose out
3 on the surcharge while we're going through
4 this process.

5 CHAIRMAN SWAIN: Let me make sure
6 with the legal counsel that we're meeting
7 what, with whether we --

8 COMMISSIONER ALLEN: All right.
9 Because you said that, you know, that was the
10 beginning of this whole conversation. Was
11 this surcharge.

12 SECRETARY THOMPSON: In fact,
13 that's why I was actually making the
14 statements I was making earlier. The
15 surcharge is there. We passed it legally.
16 When we sent it up to our Legal Counsel
17 Division, remember the issue was whether, can
18 we continue these surcharges --

19 COMMISSIONER ALLEN: Yes. I
20 thought we did that.

21 SECRETARY THOMPSON: -- we did.
22 And they said, it was fine to continue to do

1 this emergency rulemaking. Remember the
2 concern was --

3 COMMISSIONER ALLEN: Right.

4 SECRETARY THOMPSON: -- that the
5 public wasn't having an input. I -- they did
6 not, remember now, the only concern they
7 seemed to have was, how the surcharge gets
8 applied once you go meters. It wasn't whether
9 you have a surcharge but the process was --

10 COMMISSIONER ALLEN: Application.

11 SECRETARY THOMPSON: -- for
12 application.

13 COMMISSIONER ALLEN: Okay. But to
14 make sure that we still -- so in other words,
15 I can make a motion. And when I make the
16 motion and we continue the surcharge which we
17 already approved, I think it was last month --

18 CHAIRMAN SWAIN: Yes, ma'am.

19 COMMISSIONER ALLEN: -- the month
20 before that, that we continue the surcharge
21 for another 60 days. And by that time, we'll
22 know whether we got a meter -- I know I'd

1 never do it for a longer period of time. But
2 by that we will have gathered the information.
3 We will not sitting here wondering whether or
4 not we're going to have a meter or we're not
5 going to have a meter. That kind of thing.

6 So if there's no objection, I would
7 like to move that the surcharge be continued.

8 CHAIRMAN SWAIN: For 60 days.
9 Correct?

10 COMMISSIONER ALLEN: Yes.

11 CHAIRMAN SWAIN: Okay. So that
12 would be approximately July the 20th of --
13 we'll count 60 days from there. We'll count
14 60 days from the 28th.

15 COMMISSIONER ALLEN: And it was
16 seconded by Ms. --

17 CHAIRMAN SWAIN: Oh, I'm sorry. I
18 didn't hear. The motion has been made by Ms.
19 Allen and seconded by Ms. Travis.

20 Any questions? Concerns?

21 (No audible reply.)

22 I'd like to call for the vote. All

1 in favor of extending the gasoline surcharge
2 for 60 additional days say, "Aye".

3 (Chorus of ayes.)

4 All opposed?

5 (No audible reply.)

6 Any abstentions?

7 COMMISSIONER ALLEN: Here's one.
8 I'm not abstaining. I'm only --

9 CHAIRMAN SWAIN: I saw you do that
10 one that time. Okay. Thank you.

11 COMMISSIONER CARTER: Mr. Chair?

12 CHAIRMAN SWAIN: Mr. Carter.

13 COMMISSIONER CARTER: At this time
14 I would like to make a motion that the
15 committee be put together to study and look at
16 the rates as requested by the Chair for future
17 prices as we're ordered to do every other
18 year.

19 COMMISSIONER ALLEN: I think --

20 COMMISSIONER HIENEMANN: Didn't we
21 have a committee for that?

22 COMMISSIONER CARTER: There is also

1 --

2 CHAIRMAN SWAIN: Let him speak
3 please.

4 COMMISSIONER CARTER: -- there is
5 also additional input that we've had from the
6 general public. And they usually add a person
7 or two in that study.

8 They usually add a person. If
9 we're going to study, I want to make sure
10 that person or two is in that study. I think
11 Mr. -- last time Mr. Burke, didn't you do some
12 of that stuff?

13 MR. BURKE: Yes.

14 COMMISSIONER CARTER: Yes. And Mr.
15 Price and --

16 MR. WRIGHT: I was in it.

17 COMMISSIONER CARTER: Mr. Wright
18 was in it. There comes additional people in
19 that -- I want to make sure that the public,
20 in general, is in that. Other parts. Not
21 just rates and rules.

22 CHAIRMAN SWAIN: Okay.

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1 COMMISSIONER CARTER: Okay. That's
2 my motion.

3 CHAIRMAN SWAIN: That is not
4 necessary Mr. --

5 COMMISSIONER CARTER: Included,
6 that included in those rates and rules there
7 will be at least four five other members of
8 the public to help the Rates and Rules
9 Committee establish that.

10 COMMISSIONER HIENEMANN: A
11 question. Okay.

12 COMMISSIONER ALLEN: All I want to
13 know is, where is the public? Okay, I'm
14 sorry. Everybody named thus far is a driver
15 or is an industry member. So, and so that
16 does not include -- so we would have -- also
17 including the riding public if --

18 COMMISSIONER CARTER: Yes. The
19 riding public.

20 COMMISSIONER ALLEN: -- right.

21 COMMISSIONER HIENEMANN: The
22 question I have is, a.) what are the panel --

1 we have a Panel of Rates and Rules. Let me
2 just sort of make this statement. That's its
3 job. Its job -- we have public meetings. We
4 have open sessions. There's rulemaking.
5 Publishing process. It's it's in the open. I
6 mean, in the last couple of months that's the
7 way we've been going things.

8 So, and to the earlier comment,
9 what -- my mind is doing is, regardless of
10 what system we have in place, we need to know
11 what sort of measures to understand, what
12 factors, if you will, we need to know, in
13 order to make an informed decision on a fare
14 increase. It doesn't matter whether it's
15 zones or meters. We haven't had that, in sort
16 of the same low cost nature as we have had.

17 So, I'm not sure that Mr. Carter's
18 motion does anything. To me, the problem is,
19 sort of one, internally, to make sure that we
20 have enough information from the drivers to
21 understand expenses revenues in a very general
22 matter. This is something that I've been

1 talking about for awhile. So we have a
2 better picture when we pass on rate increases.

3 So, I am, I think we need to focus
4 on making the system that we have work better.
5 And do a better job of getting input. I don't
6 think we need establish a new committee to
7 accomplish those goals because the tools that
8 we have are already in place. We just have to
9 make them work a little bit better.

10 COMMISSIONER CARTER: All right.
11 Then I'll restate it. In addition to the
12 regular rates and rules, I would request that
13 members of the public be added.

14 COMMISSIONER ALLEN: Both industry
15 --

16 COMMISSIONER CARTER: Both industry
17 and non-industry. And to limit that number --

18 COMMISSIONER ALLEN: To seven.

19 COMMISSIONER CARTER: -- well,
20 there's three on the committee. I would want
21 to break, if you want to break a deadlock,
22 four. Four members. Two industry. Two

1 general public.

2 SECRETARY THOMPSON: I'm just going
3 to add a suggestion, to see if I can somehow
4 bridge your concern and this might work. Your
5 concern is to insure that members of the
6 industry and the public are involved. And
7 you're pointing out that we already have a
8 mechanism that should hold meetings and insure
9 that members of the public and the industry
10 are involved. And so, is it possible that
11 maybe we're not trying to change anything with
12 the panel but maybe structuring a little
13 informal group. So I don't know Mr. Hienemann
14 --

15 COMMISSIONER HIENEMANN: That's
16 that's fine. Because we have members of the
17 public, we just have to use what we have --

18 SECRETARY THOMPSON: Exactly.

19 COMMISSIONER ALLEN: So is the
20 motion still on the floor?

21 COMMISSIONER CARTER: Yes it is.

22 CHAIRMAN SWAIN: Mr. Tapscott.

1 COMMISSIONER TAPSCOTT: I am
2 suggesting very strongly to go back, you know,
3 this meeting wasn't set up -- we have a lot of
4 new people here. You need to go back and look
5 at the last two years ago that we did this.
6 How it was done. Who we contacted. You know,
7 you got to contact the -- how much is our
8 costs? We don't -- a committee don't know
9 those kinds of things. You need people that
10 can go out to these dealers and find out, how
11 much an hour rate is to work on an automobile.
12 How much a set of tires costs. So that's what
13 we need -- that's and the rates and rules can
14 make that. You need a committee to go out and
15 I suggest very strongly to back over the past
16 years and look at how we had did that.

17 COMMISSIONER TRAVIS: An ad hoc
18 committee.

19 COMMISSIONER ALLEN: Can I just say
20 to Mr. Tapscott, I think that that's what the
21 Chairman indicated that he was trying to
22 gather information through this mechanism of

1 the additions that he had asked for.
2 Information, if he had not in the past, it is
3 now on the table and he has asked for
4 information from the industry so that the
5 people on the rates and this ad hoc committee
6 can have, with proper information for us to
7 make a decision by.

8 I think -- and for me to be
9 defending the Chairman is different. But at
10 least I think that he had brought that to the
11 table at the beginning of this conversation.

12 CHAIRMAN SWAIN: Thank you Ms.
13 Allen. Mr. Price.

14 MR. PRICE: I just want to add one
15 thing.

16 COMMISSIONER ALLEN: You got a
17 motion on the floor.

18 CHAIRMAN SWAIN: Okay.

19 COMMISSIONER TAPSCOTT: You got a
20 motion on the floor.

21 CHAIRMAN SWAIN: Yes.

22 MR. PRICE: Okay. I just want to

1 add one thing. In the past, these ad hoc
2 committees have been done. I've been a part
3 of four meetings. Having no disrespect to
4 you, all they do is give their
5 recommendations, how the rates and rules,
6 because basically, they go out and they do the
7 groundwork.

8 Whereas, perhaps you are too busy
9 on your personal job, other people, they don't
10 have the expertise.

11 See, that's why when this
12 commission was put, so heavy --

13 CHAIRMAN SWAIN: Oh, I'm sorry, Mr.
14 Price.

15 MR. PRICE: I thought I had done
16 something really bad.

17 CHAIRMAN SWAIN: I see you, Mr.
18 Wright.

19 MR. PRICE: In the past 12 or 13
20 years, what has happened in the past is that,
21 the Commission has allowed ad hoc committees
22 to get together to gather, to gather the

1 information.

2 Once they gather information, that
3 information is tallied. It's given to the
4 Panel of Rates and Rules.

5 It's by no means a slap to the
6 people on the rates and rules. Because when
7 they come here, by, legislatively, is already
8 a full commission in the beginning. So
9 therefore, this gives them the balance they
10 need to understand the economical impact on
11 the industry that this panel don't really
12 understand.

13 So there, then they take
14 information and they can make their decisions.
15 And they put it back before the full
16 Commission as a whole. Then that's that's how
17 the process is started. And that's how it
18 goes from there. That's all I want to add.

19 CHAIRMAN SWAIN: Mr. Wright.

20 MR. WRIGHT: Good morning, William
21 J. Wright, Chairman of Taxi Industry Group and
22 a member of the coalition.

1 I'm not trying to upset anything
2 that the Commission is doing. But for the
3 life of me, the Mayor has made very plain,
4 he's running the show. Which he has made
5 plain. So why are this Commission doing
6 anything that the Mayor has made publically
7 plain, he don't agree with? He said, "This
8 Commission does not run this ship." Now,
9 right or wrong, that's what he has to say. I
10 have an opinion about it.

11 But why -- how can this Commission
12 do anything contrary until the courts decide,
13 at this point, it is in the courts, how would
14 you reach a time, and do anything that is
15 anything that is contrary to what the Mayor
16 has set the rates. He has set them. You
17 can't do nothing about that unless the Judge
18 say we have an, that we can. And then he's
19 wrong. And I think he's wrong. A hundred
20 percent.

21 But now, we're wasting time. We're
22 just wasting time. And I think it makes the

1 Commission, don't make it look smart. To sit
2 up here and try to do something that's
3 contrary to what the Mayor say. Anything you
4 come up with that doesn't say "meters" is
5 contrary to what the Mayor says he's doing.
6 So you just shout about the thing, you got
7 some power that you don't have. The Mayor has
8 taken all your power away from you. Like
9 you're going through the motion.

10 COMMISSIONER HIENEMANN: Okay. I
11 think we probably need to move to a vote.

12 MS. ROBINSON: I just have a
13 question. Carolyn Robinson, Yellow Cab 800.
14 I have a question in regards to the gas
15 surcharge. Are you going to make it --

16 COMMISSIONER HIENEMANN: I think we
17 have a motion on the floor that pertains --

18 MS. ROBINSON: But she accepted two
19 comments. I just want to know if you can make
20 it a matter of record that you're going to
21 issue the stickers?

22 SECRETARY THOMPSON: We always

1 issue the stickers.

2 MS. ROBINSON: But it's always
3 issued late.

4 SECRETARY THOMPSON: No Carolyn.
5 We don't, we don't have a friend to impress
6 here.

7 Immediately after -- the
8 Government has these processes. You have to
9 go out and you got to give it to someone. And
10 they got to bring you back the proof. And
11 then they got to print it. We do it as
12 quickly as possible. We don't sit on the
13 stickers.

14 MR. WRIGHT: My comment had nothing
15 to do with --

16 SECRETARY THOMPSON: Oh, I know. I
17 know, that's --

18 COMMISSIONER TRAVIS: And we went
19 past this --

20 COMMISSIONER HIENEMANN: We just
21 have to get you a new sticker with a new date
22 on it. Right?

1 SECRETARY THOMPSON: Yes.

2 COMMISSIONER HIENEMANN: Is that
3 too much to do?

4 SECRETARY THOMPSON: We have to
5 issue the rulemaking -- there's a process that
6 we have to go through. We've got --

7 COMMISSIONER TAPSCOTT: Okay. All
8 right.

9 SECRETARY THOMPSON: -- emergency
10 rulemaking.

11 (Multiple off mic conversations.)

12 COMMISSIONER HIENEMANN: Should we
13 call for the vote? It was seconded, right.
14 We had discussion.

15 COMMISSIONER CARTER: I move to
16 second.

17 COMMISSIONER HIENEMANN: Okay. Is
18 there a second?

19 COMMISSIONER ALLEN: Second.

20 COMMISSIONER HIENEMANN: And should
21 we restate the motion? I just want to, I want
22 to get it straight. You know --

1 COMMISSIONER CARTER: I'm asking if
2 four four members, public members have been
3 put, whether they're, whether they're in the
4 industry or not? The people who as Mr. Price
5 stated, would help us gather that information
6 for rates and rules. So --

7 COMMISSIONER HIENEMANN: Okay.
8 That's fine. That's fine. Okay. Should I
9 call a roll? Should I do that?

10 Okay. Ms. Travis.

11 COMMISSIONER TRAVIS: Yes.

12 COMMISSIONER HIENEMANN: Ms. Allen.

13 COMMISSIONER ALLEN: Yes.

14 COMMISSIONER HIENEMANN: Mr.
15 Carter.

16 COMMISSIONER CARTER: Yes.

17 COMMISSIONER HIENEMANN: Mr.
18 Tapscott.

19 COMMISSIONER TAPSCOTT: Yes.

20 COMMISSIONER HIENEMANN: This --

21 COMMISSIONER ALLEN: Okay. Is
22 there anyone else on the agenda that has to be

1 brought in --

2 (Off mic comments.)

3 SECRETARY THOMPSON: No. No. No.
4 It's -- that's not -- that's just a public
5 hearing.

6 COMMISSIONER ALLEN: That's not a
7 vote.

8 SECRETARY THOMPSON: That's not a
9 vote. There is one issue that we should
10 actually just discuss it at another time.

11 And that had to do with the issue
12 of what level of review will take place in one
13 of the panels when you have a denial of a
14 license. Remember that issue that came up?
15 So we can actually just continue that
16 discussion because we do have to move on.

17 So you know, there are two items
18 that Mr. Tapscott brought up for discussion.
19 And one was the, what was the status of the 13
20 operators who wanted to bring on new vehicles
21 during that period when DMV was not allowing
22 new vehicles on? And we allowed them to come

1 on with their Maryland and Virginia tags. And
2 he just wanted to know, get an update as to
3 what exactly is the status.

4 And I just wanted to share with him
5 that I've gone through the files of all those
6 drivers. And they are, they weren't licensed
7 before May -- I think it was May 6. May 6th,
8 '06. So, they actually were, if they wanted
9 to be able to go get a H tag, if they wanted
10 to now re-register their vehicle in the
11 District for the -- to get the H tag, some of
12 them have been driving since '85, I mean
13 they're, so they would have had and they kept
14 their DCTC -- I'm sorry, their H, their hack
15 license current. So I think they meet all
16 those standards.

17 Where we're probably -- the
18 question is really should we encourage them so
19 that we do not have as many vehicles with
20 Virginia or Maryland tags that -- it's an
21 enforcement issue. It makes for easier
22 enforcement. So that was the issue. Mr.

1 Tapscott, you might want to say something
2 about this.

3 COMMISSIONER TAPSCOTT: There is a
4 problem in the street, and they keep bringing
5 back to me, other cabdrivers are saying, "Why
6 is a District cab picking up passengers in
7 front of them with Virginia and Maryland
8 license plate?" I think it was a mistake. I
9 think it was almost a stupid mistake to put
10 those cabs out there in the first place.

11 Now that the law has been changed
12 where that they can get their DC hack tags on
13 their car, I think we need to enforce it to
14 put them under the rule where we can know when
15 the inspection date and everything else.
16 Because a policeman, if he sees a Virginia cab
17 -- I mean tag on the car, he might pull that
18 driver and over want to give him a ticket
19 because he's registered in Virginia.

20 And I just don't see how a
21 registration in Virginia and Maryland can be
22 allowed to pick up fares in D.C. I'd like for

1 us to straighten that out and get it straight.

2 SECRETARY THOMPSON: I just want to
3 add that I -- it, well, it's ideal if we --
4 they have H tags. We'll have to look to see
5 what -- can we require these people to go back
6 and re-register and, in fact, incur the costs
7 because the costs associated with -- they
8 actually paid a higher price to register their
9 vehicles in Virginia and Maryland. And we got
10 to look at our rules to see if we have
11 something there that requires that.

12 COMMISSIONER TAPSCOTT: Well, I
13 think, I think it was wrong. The Commission
14 never voted on that to happen. This was
15 something that our past Chairman did upon
16 himself. It's no law on the D.C. books that I
17 know of that you can operate a cab in D.C.
18 with Virginia and Maryland license. I think
19 it was done wrong. This Commission voted to
20 stop him from doing that. He made the mistake
21 of doing that, and I think this Commission
22 needs to straighten it out.

1 SECRETARY THOMPSON: Mr. Tapscott
2 there is no law on --

3 COMMISSIONER HIENEMANN: It's a
4 legislative problem isn't it?

5 SECRETARY THOMPSON: What?

6 COMMISSIONER HIENEMANN: It's a
7 legislative --

8 SECRETARY THOMPSON: It's a
9 legislative issue. There is no law on the
10 books prohibiting anyone who has Virginia or
11 Maryland license from getting a DCTC. It's
12 actually the reverse, that there is no
13 prohibition on it. And it actually rises to
14 some level of interstate commerce. That's
15 what the cabdrivers raised. So we need to
16 look at this issue a little bit more. It's
17 not as simple as it appears.

18 COMMISSIONER HIENEMANN: Mr.
19 Tapscott, you remember we had a meeting with
20 Councilmember Graham on this. I think it was
21 back in July, or June, or August. We had a
22 number of meetings going back a long time.

1 And then we said, we told members of the
2 council and might as well just say this
3 publically. We told members of the council
4 that we thought it would be a huge problem,
5 huge problem, if D.C. taxicabs were working
6 the streets with Maryland and Virginia tags.
7 And they said, "Well, there's no way around it
8 because of the interstate commerce clause.
9 You can't prohibit."

10 COMMISSIONER TAPSCOTT: They never
11 fixed --

12 COMMISSIONER HIENEMANN: And stuff
13 like that. And they never fixed it. We
14 proposed a couple of ways of doing it to
15 ensure that this would happen. And it hasn't.
16 And we brought it up again to Councilmember
17 Graham's attention not too long ago to get it
18 fixed. It's something that requires more
19 study, and hopefully --

20 COMMISSIONER TAPSCOTT: Can we take
21 and go in Virginia and register a car in
22 Virginia with D.C. tags on it and hack in

1 Virginia? No.

2 COMMISSIONER TRAVIS: No.

3 COMMISSIONER TAPSCOTT: No. So why
4 are we doing it in D.C.? Causton Toney did
5 this. This Commissioner didn't do this.

6 COMMISSIONER HIENEMANN: We didn't
7 do it. It's a legal problem.

8 COMMISSIONER TAPSCOTT: How come
9 this committee and you involved, sit here and
10 voted not to put no more cars out there with
11 --

12 COMMISSIONER HIENEMANN: I agree
13 with you. I -- Mr. Tapscott, I totally agree
14 with you. But there's nothing we can do about
15 it. It's a legislative fix.

16 COMMISSIONER TAPSCOTT: What's a
17 legislative fix? What is a legislation fix?

18 COMMISSIONER HIENEMANN: Counsel
19 can explain it better than I can. But the
20 problem is the same old problem we've been
21 dealing with since I started, since I got on
22 the Commission. We brought it, we brought it

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1 up with Councilmember Schwartz. We brought it
2 up with Councilmember Graham. And they said,
3 "We're not going to fix that problem." They
4 would rather put a little H tag next to the
5 Maryland or Virginia tag than actually require
6 it. We've been through this.

7 MR. KAREEM: Good morning. My name
8 is Abdul Kareem -- and I'm here today since
9 you mentioned for breaking the law and rules.
10 We have really a problem. And I just want to
11 give you some Commissioners advice because I'm
12 glad Sue Pressley she's here, Washington Post.
13 So then be, tomorrow will be our full day.
14 The way you are behaving, so we need to cool
15 off ourselves.

16 So, basically we have a problem.
17 The problem we have is, I know we can not talk
18 in one thing, in all of us. We have to tackle
19 -- we have some issues. We have a problem if
20 there's a break in rules, everyday every
21 minute, I don't know why the Commission
22 whether they are okay with them or they give

1 them a legit Maryland working in the District
2 everyday. Why you don't want to speak up?
3 Why you don't want to stop? As a Commission,
4 you are about it.

5 Limousines. They used to have a
6 license. It used to take like a taxi. Taxi
7 take a license. They take exam. Limousine,
8 they waive. All they have to do is, they have
9 to come and get two affidavit, a clean record,
10 and then they have their license.

11 Limousine is just like a
12 taxidriver. He should know the city. And as
13 a matter of fact, the limousine, they pick up
14 more important than a taxi. They can pick up
15 CEO and big guys. And everyday, they asking
16 us, even how to get to National Airport from
17 downtown.

18 So the question is here, I want to
19 know why the exam being waived, number one?
20 Number two, why the D.C., if a tourist is
21 being ripped off for BG everyday before your
22 eyes, as a Commissioner here, why are you not

1 even asking the police help? Why are you not
2 asking -- I know the hack inspector -- we do
3 not have enough hack inspectors. I do
4 understand that understand that, for
5 technical. But why not, you are not enforcing
6 the law? Anybody can come in the District and
7 hack. You know about this. And who's
8 breaking the rules? It's to me, is the
9 Commission breaking the rules?

10 Thank you.

11 CHAIRMAN SWAIN: Thank you, sir.

12 COMMISSIONER CARTER: Should I
13 answer before I leave?

14 CHAIRMAN SWAIN: Please.

15 COMMISSIONER CARTER: It was waived
16 a long time ago. It was waived as part of a
17 better plan. The reason it was waived was
18 because there were to be no more independents.
19 It is our industry's belief that since we did
20 attend your school, we are not allowed to
21 attend your school, why should we take your
22 tests? The test was then waived. But

1 the other part of it is, there were to be no
2 more independent limousine drivers. Training
3 was to come through the companies. So in
4 essence, you couldn't go out and buy a car and
5 put it on the street. You would have to go to
6 a company. And you had to go to John Smith,
7 company X, company Y. Company X, company Y
8 would train you. And there was a period which
9 you were to stay in training which was 30
10 days. All these things were put in place.

11 What happened? They only took part
12 of it. So that's why we are there today.

13 I want to add something to the
14 agenda. I have a motion that I would like to
15 get across. And it's not on the fare subject.
16 The first subject -- and by the way, the last
17 part of it is that we were limited. We wanted
18 our industry limited here. Okay.

19 In the interim, we closed the
20 school down. This Commission closed the
21 school down. When the school closed down,
22 there were a lot of people backed up in the

1 system. So what they did was, they came in
2 one by one and decided they were going to be
3 limousine drivers. And we hated that.

4 Prior to the school closing, I
5 doubt whether there were 50 new additional
6 limousine drivers added a year. I don't know
7 the exact number.

8 SECRETARY THOMPSON: I just want to
9 clarify. It's not the school. It's the pre-
10 licensing test. Right? Is that what you're
11 thinking?

12 COMMISSIONER CARTER: No.
13 Licensing test.

14 COMMISSIONER TAPSCOTT: No. Pre-
15 license test.

16 COMMISSIONER CARTER: Pre-licensing
17 test. Right. Pre-licensing test. Okay.
18 Because we came here, prior to, prior to the
19 tests being cut off, we came and we took the,
20 we took the same exam that you would take when
21 they used to do it over in this room. We took
22 the same exam. But we didn't go to your

1 schools. Okay. We had to learn it a
2 different way. We had to learn it trial and
3 error. All right.

4 Either that or at one time you
5 could find the test on the street.

6 And if you could get a copy of the
7 test, and you could study that copy, come in
8 and take your exam. And that was it.
9 Whereas, you all had to go to school.

10 So why have a test for limousine
11 drivers and it's a taxi test for something
12 that we don't do? Or that we couldn't attend?
13 Because if you came in for a 31(c), if you
14 came in for a 31(c), I couldn't go to taxi
15 school. I had to get it on my own.

16 MR. KAREEM: They are on the road.
17 And the Washington Post say they charging
18 \$20/\$30 downtown and ripping off citizens and
19 people who visiting in Washington, that really
20 must be stopped.

21 SECRETARY THOMPSON: I just wanted
22 to add one thing. Mr. Carter mentioned some

1 changes. But they were not added to the
2 rules. But the -- in fact, actually the
3 rules, I believe, still might even refer to
4 the test. There's some cleaning up that
5 actually needs to happen.

6 The -- one of the things the task
7 force is supposed to focus on is the limo
8 industry and its structure because, as you
9 might know, Mr. Graham has asked why there
10 isn't also an assessment on these limousine
11 operators?

12 And basically, I think we need to
13 look -- I think things have evolved so that
14 there's a need to look to see what limo
15 drivers, what standards they should meet and,
16 you know -- so I just want to say, we're
17 going through that process right now.

18 MR. WRIGHT: What about PG cabs?

19 SECRETARY THOMPSON: Be careful
20 talking about --

21 CHAIRMAN SWAIN: Unless you are at
22 the table.

1 SECRETARY THOMPSON: -- unless you
2 are at the table, it doesn't work.

3 MR. KAREEM: Thank you, Ms. Clerk.
4 You answered my question partially. But I'm
5 not talking about the procedure, how they get
6 the license. I'm talking about, these
7 limousines, more than 1,500, they are not
8 even hotel. They used to have, they went to
9 -- they used to work at the hotel, with the
10 connection with the doorman's or the
11 concierge. Now they have upgraded now because
12 they have so many limousine. So they are
13 fighting each other. They working in the
14 street. I see them an eye witness. They go
15 buses. And they asking, "How many people?
16 Four people. Get in." We take you 16, \$2.00,
17 \$3.00.

18 So my point is this, if tomorrow,
19 because all these taxidriviers, they are legit.
20 They have a criminal background check. They
21 have -- they, all these cabdrivers is just
22 like a metropolitan police. The procedure

1 itself, all they have, don't do is, they don't
2 do training. The D.C. taxidriver. The rest,
3 they follow the procedure. So they basically,
4 if tomorrow the limousine pickup someone or PG
5 picked up a young lady, and he rape them or
6 tourist come to the city, he robbed them,
7 who's responsible? He blame the D.C.
8 taxidriver. Which has nothing to do with
9 this. So this thing before it gets out of
10 hand we need to stop. We be keep asking this.
11 PG, they are working in the city. And they
12 aren't even -- to work in the city. What
13 happens with this, it has to stop. I know
14 that.

15 Limousines. Every hotel you go,
16 they are like a cab stand. They are working
17 like a taxi. Union Station, same thing. I'm
18 not talking about how they get license. We
19 are talking about enforcement. We need
20 enforcement. It's like we're giving the
21 taxidriver tickets. If they violate, these
22 people need to get the fine. We must get

1 stopped. And really we have to start now.
2 Please. Thank you.

3 COMMISSIONER TRAVIS: May I just
4 answer part of that? Remember they are
5 drivers. Unless they have onboard, the --
6 who, where they are supposed to be, who they
7 are supposed to pick up, they are subject to
8 being fined and --

9 COMMISSIONER CARTER: We can't
10 cruise.

11 COMMISSIONER TRAVIS: Right. By
12 the inspector.

13 COMMISSIONER CARTER: We can't
14 cruise.

15 MR. KAREEM: Ms. Travis, everybody
16 --

17 COMMISSIONER TRAVIS: No, I'm just
18 saying --

19 (Multiple off mic comments.)

20 MR. KAREEM: I used to be a
21 limousine driver. I know they got to have a
22 contract.

1 COMMISSIONER TRAVIS: Yes.

2 MR. KAREEM: You got to have who
3 you pick up the hotel --

4 COMMISSIONER TRAVIS: Right.

5 MR. KAREEM: -- but the game they
6 are playing has changed now. What they doing
7 now is, they are soliciting. They are
8 stealing our fares every day.

9 COMMISSIONER CARTER: Thank you
10 very much, and here's the, here's the, here's
11 the answer to your problem or part of the
12 answer to your problem. Part of the answer to
13 your problem is enforcement.

14 COMMISSIONER TRAVIS: Right.

15 COMMISSIONER CARTER: The rule, the
16 rule is simple. It's straight in the book.
17 All right. It's prearranged. I have no
18 business cruising.

19 COMMISSIONER TRAVIS: Right.

20 COMMISSIONER CARTER: If I can't
21 prove I'm there under legitimate
22 circumstances, the guys back here can take

1 care of that.

2 COMMISSIONER TRAVIS: Okay.

3 COMMISSIONER CARTER: It's supposed
4 to be --

5 (Off mic comments.)

6 COMMISSIONER TRAVIS: They are
7 supposed to, yes.

8 COMMISSIONER CARTER: They are
9 supposed to be able to.

10 COMMISSIONER TRAVIS: The
11 inspectors are supposed to --

12 COMMISSIONER CARTER: They are
13 supposed to be able to. In other words, I'm
14 not allowed to cruise.

15 COMMISSIONER TRAVIS: Right.

16 COMMISSIONER CARTER: All right.
17 If I see people hailing on the street, that's
18 nice, there's no rule against it. But I'm, in
19 general, not supposed to do it.

20 COMMISSIONER TRAVIS: Not supposed
21 to do it. And if an inspector sees them doing
22 it, if he can look at the -- he can stop --

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1 MR. KAREEM: Please Mr. Carter, can
2 you repeat what you say? If you see people,
3 that's nice --

4 COMMISSIONER CARTER: There's no
5 rule that's stopping you. There's no, there's
6 no rule on the books that says, I can't, I can
7 not pick up a hail. However there is a rule
8 that says --

9 MR. KAREEM: First time I heard.

10 COMMISSIONER CARTER: -- there is a
11 rule that says, my ride is to be prearranged.
12 There is a rule that says I can't be in front
13 of where I'm supposed to be, before, I think,
14 it's 15 minutes. Something like that. 30
15 minutes.

16 (Multiple off mic conversations.)

17 COMMISSIONER CARTER: This is all
18 the stuff.

19 CHAIRMAN SWAIN: Mr. Tapscott, go
20 ahead, sir.

21 COMMISSIONER TAPSCOTT: My last
22 recollection, we voted that a limousine must

1 have a manifest. He must have prearranged
2 either on electronic or it should be on his
3 manifest.

4 COMMISSIONER TRAVIS: Right.

5 COMMISSIONER TAPSCOTT: No where in
6 the rule that a limousine can pick up a hail
7 on the street.

8 COMMISSIONER TRAVIS: That's right.

9 COMMISSIONER TAPSCOTT: That's
10 illegal to pick up a hail on the street.

11 If he don't have his manifest, how
12 is he picking up on the street?

13 He should not be in the city.

14 MR. KAREEM: And that's what's
15 happening now. That's why I --

16 COMMISSIONER CARTER: Let me give
17 you another one. Let me give you another one.
18 Unless you have a contract, unless you have a
19 contract, unless you have a contract signed
20 between you and the hotel, I can't put my car
21 outside that hotel.

22 COMMISSIONER TAPSCOTT: You must

1 have a manifest for who you pick up and
2 everything.

3 MR. KAREEM: That is in the book?

4 COMMISSIONER CARTER: That's a
5 contract.

6 MR. KAREEM: That is in the book?

7 COMMISSIONER CARTER: No, no. You
8 asked me about Maryland, Virginia, and all
9 these other, all these other guys hacking
10 around. I'm answering. Now let me answer.
11 Let me answer.

12 If I am an out-of-state contractor,
13 first of all, I can't park my car in front of
14 the hotel, all right, unless I have a contract
15 which means now my car is now garaged in the
16 District of Columbia which means it must have
17 an L tag.

18 And there's no L tag, that is
19 illegal. That's illegal. It's not, it's not,
20 it's not that we -- it's not that people want
21 to do illegal things, because they do. But if
22 you ask any of the legitimate companies here

1 in the District of Columbia, we don't like it
2 either. We don't like it. The companies
3 here, coming here from Maryland Virginia, they
4 can work, they can work the District. They
5 can honestly work the District.

6 COMMISSIONER TRAVIS: Not legally.
7 But they do. Right.

8 COMMISSIONER CARTER: But they do.
9 All right. If the the inter-jurisdiction
10 permit allows me to come in and make one stop
11 in the District of Columbia and get out.

12 COMMISSIONER HIENEMANN: I'd like
13 to make a comment. As Mr. Carter, as you
14 know, the Panel on Rates and Rules considered
15 this last month on the question of whether or
16 not a manifest. You know, the question of
17 what type of manifest a limousine driver
18 should have. So that is on the table. And I
19 think that we're going to have that vote or
20 hearing on that probably next month at the
21 next public meeting.

22 (Off mic comments.)

1 COMMISSIONER HIENEMANN: On the
2 rules that we discussed last month pertaining
3 to manifest, did we not discuss a rule?

4 PARTICIPANT: Yes.

5 COMMISSIONER HIENEMANN: We did.
6 So that rule has to come before a public
7 hearing.

8 COMMISSIONER TAPSCOTT: It's
9 already on the books.

10 COMMISSIONER HIENEMANN: Somebody
11 explain something to me here. We had a
12 discussion about manifests. There's two
13 questions. One on manifests which we
14 discussed at the last meeting of the Panel of
15 Rates and Rules. Proposed rules pertaining to
16 what type of manifest you're supposed to have.
17 Okay. We went through this last month.

18 The second question that I'm
19 hearing is one on enforcement. I asked the
20 Chairman to speak on both issues.

21 SECRETARY THOMPSON: What what
22 happened at the last meeting, as you may

1 recall, is that there was some issue about
2 what constitutes a manifest. There was some
3 issues about that.

4 (Off mic comments.)

5 SECRETARY THOMPSON: Exactly. What
6 electronic form.

7 So there was going to be continued
8 discussion. And I presume that Mr. --

9 COMMISSIONER HIENEMANN: Right. We
10 discussed other penalties. Remember, the
11 penalties on a failure to carry a manifest on
12 limousine. We had a discussion on that in the
13 Panel of Rates and Rules last month. I assume
14 that that discussion on those issues will
15 continue in the next couple of months.

16 SECRETARY THOMPSON: There -- to
17 clarify, there is a regulation on the books
18 currently dealing with requiring manifests,
19 that limos must have a manifest.

20 The question that came up is, what
21 form? So we may have to go back and do some
22 modifications. And there is a penalty that we

1 are putting in place, as well. For, as you
2 might recall, what happened is, when the rule
3 was enacted it didn't include the penalty.
4 That's why the --

5 COMMISSIONER HIENEMANN: Right.
6 That's why we did that.

7 SECRETARY THOMPSON: And I presume
8 that what you're recommending also is that we
9 start looking back at some other issues
10 regarding limo.

11 COMMISSIONER HIENEMANN: The second
12 question is just, generally, our enforcement
13 capabilities and what changes you might expect
14 going forward. What changes we can expect in
15 the new budget.

16 SECRETARY THOMPSON: Okay.

17 CHAIRMAN SWAIN: Mr. Carter. Mr.
18 Tapscott has a question fro you.

19 COMMISSIONER TAPSCOTT: Mr. Carter,
20 did we pass this rule?

21 COMMISSIONER CARTER: Yes, but it
22 doesn't any particular fine with it.

1 COMMISSIONER TAPSCOTT: Yes. But I
2 heard this gentleman say that, you are looking
3 at making rules on the manifest electronic
4 thing. We already did that.

5 COMMISSIONER CARTER: I think he, I
6 think he didn't, I didn't finish his
7 statement. And I am thinking he was trying to
8 get to the fines.

9 MS. ROBINSON: And it was also on
10 the amount of time that the requirement of the
11 limo driver to withhold his manifest.

12 CHAIRMAN SWAIN: How are you --
13 (Off mic comments.)

14 MR. KAREEM: They only give me
15 answer for the limousine. What about PG taxi
16 who are taking all the other --

17 COMMISSIONER HIENEMANN: That's why
18 I asked, that's an enforcement question. And
19 the Chairman will have to speak to that.

20 (Off mic comments.)

21 CHAIRMAN SWAIN: Mr. Chubbs. Your
22 floor.

1 MR. CHUBBS: Good afternoon, Mr.
2 Chairman and Commission. I'm talking on a pet
3 peeve of mine, you know, since -- I think one
4 of the things on this limousine, I have no
5 problem with legitimate limousine. But what
6 we have now is, especially since the test has
7 been closed -- and I want to know what it
8 takes for these guys to get L tags. What we
9 have is a slew of guys going to get L tags.
10 And just going to buy a car. And working like
11 taxicabs. Just like he was saying.
12 Especially around these hotels. And I like
13 what Mr. Carter said about if you're not
14 license or contract. Because we have one
15 particular hotel which is The Madison Hotel,
16 this lady from Maryland, she just, and you
17 know, everybody else get local fares, she gets
18 all of the -- I don't even hack the stand.
19 But I go by there every day. And I see
20 everybody gets Union Station. She gets
21 Dulles. She gets Baltimore. But not just
22 that hotel.

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1 The other morning, I picked up at
2 the Hampton Inn. And there's a white car with
3 L tags. And everybody come out the door. You
4 going to the airport. You need, you need
5 taxi. And they just working just like, how is
6 it that they can just come over here and what
7 does it take for them to get a L tag?

8 Because that's the problem. It's
9 not the legitimate limousine. It's these guys
10 with the L tags. They got their buddies on
11 the doors. And they getting all that.

12 I'm blessed that I don't work the
13 stand. But I see it happen to all the guys.
14 They sit there for 30 minutes, looking, hoping
15 to get a feasible fare. One come out going to
16 Union Station and one come out going to
17 Dulles. They give the guy, holding back the
18 Dulles and give the cabdriver the Union
19 Station. You know, and these things are
20 happening and it's strictly under this L tag
21 system. You know, these guys just going out
22 and just buying them a car and working as a

1 taxicab.

2 CHAIRMAN SWAIN: Well, Mr. Chubb,
3 the way I see the problem, it didn't just
4 start with limousines. This problem started
5 with the cabdrivers doing it first. You
6 opened up the door. When you started paying
7 all of these guys money to get these
8 particular runs, and I've had a number of them
9 tell me, you opened up the door. You started
10 letting these guys know that they can make
11 \$300, \$400.00 a day by picking their runs.
12 This is a monster that some of you guys
13 sitting in this very same room have created.

14 Now it is an enforcement problem.
15 It is a definite enforcement problem. The
16 other thing about it, let's be honest with
17 each other, some of the same people sitting in
18 this room complaining about these guys driving
19 these limousines are some of the same people
20 out there driving these same limousines. They
21 calling both -- no, no, no, no. I listened to
22 you.

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1 PARTICIPANT: Okay.

2 CHAIRMAN SWAIN: You got some of
3 the same people sitting in this very room that
4 have played both sides of the fence. When you
5 guys call a strike, I can see some of the very
6 same people out there operating a limousine
7 trying to circumvent it.

8 My point is simply this, you can't
9 keep playing both sides of the fence.

10 Now I'm going to step up the
11 enforcement. I'm meeting with the police
12 department. We will step up the enforcement.

13 But in the same respect, you got to
14 clean up your act. I mean, I understand
15 there's no teeth in 31. We know that. They
16 know it.

17 The test was put down for a reason,
18 three years ago. One of the biggest problems
19 that we got. We're working to get the test
20 back up. We're working to get people re-
21 certified. And that takes time. You just
22 can't do it on the light. That's a -- excuse

1 me, sir. Thank you.

2 None of these problems that you are
3 talking about are problems that get solved
4 overnight. But I'm also saying that the
5 industry has played an important part in some
6 of these problems. And instead of sitting up
7 here yelling because now it is biting you in
8 the rear, you need to stop participating in
9 some of these things now. I'm going to step
10 up the enforcement. I'm meeting -- I'll see
11 you over there --

12 MR. PRICE: You skipped over me --

13 CHAIRMAN SWAIN: But but, I'm the
14 Chairman. Every once in awhile I get to say
15 what I want to say. I was answering his
16 question. I will get back with you, sir.

17 All I'm saying is that it goes both
18 ways. You can't sit here and say that
19 somebody else is out doing what you are doing
20 the same thing on some respects.

21 Now, we will clean up this. It's
22 going to take some time. We are going to

1 clean it up. But in the same respect when it
2 starts to bite some of you on the butt, don't
3 come up in here, I'm legit, because half of
4 you are. Some of you simply are. And I know
5 that for a fact. I see that out in the
6 street. I see some of the same people in this
7 room driving.

8 Ms. Robinson.

9 MR. CHUBBS: Okay. Well you jumped
10 to a different issue than what I'm saying. I
11 understand what you're saying.

12 CHAIRMAN SWAIN: It's all part of
13 the same issue.

14 MR. CHUBBS: Well --

15 CHAIRMAN SWAIN: We can't, we
16 can't do everything. I mean we're a small
17 agency.

18 MR. CHUBBS: I understand that.

19 CHAIRMAN SWAIN: We're trying to do
20 it.

21 MR. CHUBBS: I understand that.

22 CHAIRMAN SWAIN: But in the same C

1 MR. CHUBBS: But we're making you
2 aware of some of the legitimate problems --

3 CHAIRMAN SWAIN: And I appreciate
4 it.

5 MR. CHUBBS: -- we're seeing out
6 there.

7 CHAIRMAN SWAIN: And I appreciate
8 that. You have never heard me say that I
9 don't want to hear the problems out there.
10 But in the same respect, I'm also letting you
11 know that I know you got some people playing
12 both sides of the fence which is something
13 that hasn't been shared before.

14 MR. CHUBBS: Okay.

15 CHAIRMAN SWAIN: Mr. Price.

16 MR. PRICE: Thank you. Nathan
17 Price. This time I'm going to play the other
18 side of the fence because a different door was
19 opened up. There's a rule somewhere in the
20 600 series and it has an A and B, BB part.
21 And it says, "If a doorman," something that
22 this agency has been a coward of, "of

1 enforcing the law of a hotel employee --

2 PARTICIPANT: Right.

3 MR. PRICE: -- may he be the
4 doorman, the maitre d', the bellhop, or
5 whatever he is. If they are putting a bribe
6 out to the taxi cabdriver, he can be
7 imprisoned, fined." If that person who he is
8 doing it to is over the age of 65 years old,
9 the fine doubles. So does the the sentencing
10 guidelines of it. So therefore, we, this
11 agency has never enforced that. Never.
12 Because the hotels have been doing it for
13 long. The last time a policeman came close to
14 us -- the crazy man walking around with a
15 pearl-handled gun. What was his name?

16 CHAIRMAN SWAIN: I know who you are
17 talking about, bald head.

18 MR. PRICE: Yes. Yes.

19 CHAIRMAN SWAIN: Keep going.

20 MR. PRICE: He was the last person
21 who was going to do it at the JW. Because he
22 observed it happening. But all of a sudden,

1 he was yanked from doing that.

2 The problem is that, if I am a
3 bellhop or if I'm a doorman and the hustle is
4 there, human nature they're going to try to
5 put the hustle. The idea is that, if you're
6 going, if you're going to cut the cloth,
7 because you are talking about cutting the
8 cloth both ways, that part of the cloth has
9 never been cut. Because the rules are there.
10 And somewhere along the line, maybe Ms.
11 Thompson will look it up, because it was shown
12 to me by the old General Counsel, Mr. George
13 Crawford, that if the person is over 65 the
14 fine's double. That's the B section. But
15 it's there.

16 When you bribe a taxicab driver for
17 a fee, for going, for like taking a specific
18 run, you know, and the idea is that, the
19 hospitality industry will come down on this
20 agency like thunder. So therefore, if we're
21 going to cut the cloth, let's cut it.

22 SECRETARY THOMPSON: There's a,

1 there's actually an old legislation. The same
2 one that has, the one -- it says, "loitering."
3 The one that comes up about where loitering by
4 the taxicab is a criminal misdemeanor.

5 It also has a provision that goes
6 against a hotel employee who discriminates
7 against. I know of that. So I'll have to
8 look --

9 MR. PRICE: What's that one?
10 Because because that before that stupid law
11 was, was even put on the books, this law was
12 already there. And --

13 SECRETARY THOMPSON: Bribery?

14 MR. PRICE: -- it's about bribery.
15 Where a person can bribe, in the case of a
16 cabdriver, and the cabdriver, and the B
17 section was like a lot of, the lady in this
18 room who's, I know she's over 65. I don't
19 want to talk about her age. But but --

20 CHAIRMAN SWAIN: Ms. Robinson?

21 MR. PRICE: -- I didn't tell that.
22 Ms. Robinson is -- she's not over 65.

1 (Laughter.)

2 But all I mean is that, for Ms.
3 Daisy Bowers, Ms. Bowers has had this problem
4 at The Madison for a long time and other
5 hotels. And she constantly talked about one
6 thing. How the doormen had been bribing them.
7 And the idea is that, if we start enforcing
8 that a couple of times, the hotels will stop.
9 The idea is that, they will come down. That
10 -- I know it's 6 something and it's in the B
11 section.

12 CHAIRMAN SWAIN: Thank you, Mr.
13 Price. He's been waiting his time. Please,
14 sir, you, if you like, both of you come to the
15 table.

16 (Off mic conversations.)

17 CHAIRMAN SWAIN: Ladies and
18 gentleman, I would also tell you that I still
19 have to get to the public hearing on the
20 amendment, the 802.6. And so I'm going be
21 doing that immediately following these two
22 gentleman.

1 Where did he go?

2 (No audible reply.)

3 Please sir, go ahead.

4 MR. OLLIE: I'm Willey Ollie,
5 Diamonf 114. My thing is the Dulles airport
6 cabs. They have took the domes off the cabs.
7 And they are picking them up all the -- in
8 Washington. They come in, they got radios in
9 the cars. And they are picking up all the
10 fares and going back to Dulles. They took the
11 dome lights. They don't run dome lights
12 anymore like regular cabs. And you can't tell
13 them because they are sitting on the street
14 without no dome light and all of them is gray.
15 And the other thing is Red Top. Red Top is
16 staging down at the Columbia Plaza, 2400
17 Virginia Avenue. Everyday about 15 or 20 cabs
18 sitting in there, dispatch out of there.

19 INSPECTOR: What time?

20 MR. OLLIE: What time? Around 3:30
21 and 4 o'clock. That's Red Top. But Dulles,
22 they took all the dome lights off their cabs.

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1 And they're running them --

2 CHAIRMAN SWAIN: You said 24th, you
3 said, 24th and Virginia?

4 MR. OLLIE: 2400 Virginia Avenue.

5 CHAIRMAN SWAIN: Okay. Thank you,
6 sir.

7 COMMISSIONER TAPSCOTT: Can I --

8 CHAIRMAN SWAIN: Mr. --

9 COMMISSIONER TAPSCOTT: -- follow
10 up on that?

11 CHAIRMAN SWAIN: -- Mr. Tapscott.
12 Please, sir.

13 COMMISSIONER TAPSCOTT: Yes. A few
14 years ago with the Dulles Airport cabs, there
15 was a written understanding that they would
16 not come in D.C. and pick up jobs going back
17 to Dulles Airport. That stayed in effect for
18 a number of years. But three years ago, Mr.
19 -- one of our former Chairman brought the two
20 guys from Dulles Airport over to the meeting
21 on -- at the hospital and gave them authority
22 to come in here and pick up. And we have

1 argued about that and argued about that.
2 Because before then, Dulles had an agreement
3 that they would not come in and pick up in
4 D.C. That's where it all started from with
5 this letter that Mr. -- one of our former
6 Chairman gave the Dulles Airport people
7 authority to do.

8 CHAIRMAN SWAIN: Do you have a copy
9 of that?

10 COMMISSIONER TAPSCOTT: I probably
11 can come up with a copy of that.

12 CHAIRMAN SWAIN: If you can come up
13 with a copy of that, I'd appreciate it.

14 COMMISSIONER TAPSCOTT: Yes.

15 CHAIRMAN SWAIN: Ms. Robinson, do
16 you have a copy of it?

17 MS. ROBINSON: I probably also --

18 CHAIRMAN SWAIN: Can I, can I get a
19 copy of it?

20 MS. ROBINSON: It's in my files.

21 CHAIRMAN SWAIN: Thank you ma'am.

22 COMMISSIONER TAPSCOTT: And that's

1 where, that's where the problem really
2 started. And he had no authority.

3 And I'd like, while I'm on that, we
4 have a limousine driver here saying something
5 that I don't think you can find in the
6 regulation. That if you have a contract with
7 a hotel, you can park there. I don't think
8 you can find that in regulation nowhere. So
9 some of these people who's driving these
10 limousines that are able to do what they want
11 to do for so long, they don't really know the
12 rules and regulations. You go to practically
13 every hotel in D.C. now, they have got the
14 only car sitting up there with no limousine
15 tag on them. Maryland tags on them. Anybody
16 who wants to go to the, one of the four
17 airports, they take them. You go to every
18 hotel around here, almost, you will find their
19 car. The main one is up there at Wisconsin
20 Avenue. What's the hotel?

21 PARTICIPANT: Best Western.

22 COMMISSIONER TAPSCOTT: Best

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1 Western there.

2 MS. ROBINSON: Oh, the Embassy
3 Suites.

4 COMMISSIONER TAPSCOTT: Yes. The
5 car is parked there. The hotel at North
6 Capital and Massachusetts Avenue, cars are
7 parked there.

8 CHAIRMAN SWAIN: Thank you, Mr.
9 Tapscott.

10 MR. WELLS: My name is Elijah
11 Wells, I've been driving a cab since '49. I
12 had to stop because of the way the things have
13 been in the city.

14 First of all, I want to say this,
15 is that, I've never seen such things happen
16 that's happening now. And I'm talking about
17 you now.

18 CHAIRMAN SWAIN: That's fine.

19 MR. WELLS: I feel like this,
20 you're saying, in my opinion, is catering to
21 the Mayor who did not sign for that, why did
22 he say out for the meter?

1 CHAIRMAN SWAIN: You'd have to ask
2 the Mayor that, sir.

3 MR. WELLS: Oh, you ask him. You
4 were with him. You should ask just like, wait
5 a minute, just like the man over there, the
6 other guy, where Mr. Tapscott's sitting. He
7 said, you said, you didn't know -- ask Graham.
8 You have to ask him. You are the taxicab
9 Chairman. And I feel that you should be able
10 to talk to him. I talked to him at 6th and M,
11 and I told him we was going to have a big
12 strike before he even said, he did not -- but
13 I told the Professional Taxicab Association
14 the same thing. This things started in on 8th
15 of October 19 -- 2006 when my wife passed
16 away. And this thing about the meter and all
17 that kind of stuff, it appeared to me that
18 you're taking what he say and what the
19 cabdrivers say, we don't have a chance. Just
20 like, for example, what they are talking about
21 the limousine. Go up to 15th and M, the
22 limousines they go across the street and park

1 while we are on the stand. And they are not
2 on the stand much, where they are. And the
3 doormen take them across the street.

4 But it seems to me, just like for
5 example, you have, you have, a taxicab
6 policeman. They are here under you. It were
7 much better when we had those police a long
8 time ago. Regular police would take their
9 cars. They don't have the right to do that.

10 CHAIRMAN SWAIN: They do take their
11 cars.

12 MR. WELLS: Do you take their cars?

13 CHAIRMAN SWAIN: They do it every
14 day.

15 MR. WELLS: Well, that's odd to me.
16 I never seen it, and like I said, I just ride
17 around the city to see what happening.

18 The only thing I think that we need
19 somebody policing them or even Tapscott.
20 Because it appear to me that everybody is
21 against the cabdriver. Just like you say
22 you're going to have a meeting. But the

1 cabdrivers, how about the cabdrivers? We got
2 6,000 cabdrivers. And the thing about it is
3 that from the -- you got to go to court. Why
4 why do you have to go to court? CHAIRMAN
5 SWAIN: I don't have to go to court.

6 MR. WELLS: You don't? That's all
7 I'm saying, but if we don't go, we'll see that
8 on the Registry too, and I don't blame you.
9 I'd only blame -- I don't blame you, all I
10 tell is that I said, first of all, you can get
11 out of it because you didn't pass that rule.
12 You're only accepting what somebody did
13 originally. You didn't know anything about
14 the rule when they said, people cannot get
15 together and charge anybody else, a lot of us,
16 without letting us know? They didn't, those
17 people didn't pass anything. Were you in the
18 room when they passed the ruling about the
19 meeting? They went after it was passed.
20 Afterwards, you weren't even there then.

21 CHAIRMAN SWAIN: Well I tell you
22 what. I think you need to read the order that

1 was given to me by the Mayor.

2 MR. WELLS: I think you have to go
3 by procedures, too. I'm not talking about
4 you. You weren't even here then.

5 CHAIRMAN SWAIN: Well --

6 PARTICIPANT: The Commissioners,
7 the Commissioners did not go first. They
8 didn't go first. It went from Causton Toney
9 to Mayor Williams -- not to Mayor Williams,
10 the city council, then too, Mayor Williams.
11 And let me say -- but I'm telling you, you
12 were not here. But you're accepting --

13 CHAIRMAN SWAIN: I think you're
14 talking about two different issues.

15 MR. WELLS: No. I'm talking about
16 what I want to talk about.

17 CHAIRMAN SWAIN: And that's two
18 different issues.

19 MR. WELLS: I giving you different
20 issues that you should be able to do and be
21 man enough to stand up for what is right.

22 CHAIRMAN SWAIN: Thank you very

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1 much.

2 MR. WELLS: You're quite welcome.

3 CHAIRMAN SWAIN: You have a nice
4 day.

5 MR. WELLS: You, too.

6 CHAIRMAN SWAIN: I always do.

7 MR. WELLS: You do? Well, so do I.

8 CHAIRMAN SWAIN: Good. So we're
9 both on the same page. Thank you.

10 COMMISSIONER TRAVIS: Mr. Chairman.

11 CHAIRMAN SWAIN: Yes, Ms. Travis.

12 COMMISSIONER TRAVIS: I'd just like
13 to go back to an old issue here because I
14 haven't really gotten the satisfaction of
15 changing the laws so that the charge for
16 driving slowly will be a civil misdemeanor. I
17 think we've gotten stuck on that. I don't
18 know what's happened with that.

19 CHAIRMAN SWAIN: That was tabled.
20 It was tabled because there was a lot of
21 unreadiness about it.

22 COMMISSIONER TRAVIS: I thought we

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1 were going to get back, going get back to that
2 so that we could work on that. I didn't know
3 you just tabled it altogether.

4 CHAIRMAN SWAIN: No. I just didn't
5 table it altogether. You voted to table it.

6 COMMISSIONER TRAVIS: I didn't vote
7 to table it.

8 CHAIRMAN SWAIN: Well, there was a
9 vote --

10 COMMISSIONER TRAVIS: Oh, yes we
11 did because the language that was used, that
12 Ms. Thompson had was not the language that I
13 had put forth.

14 SECRETARY THOMPSON: I didn't have
15 a --

16 COMMISSIONER TRAVIS: You had it as
17 a felony misdemeanor.

18 SECRETARY THOMPSON: I didn't have
19 any language. What my --

20 COMMISSIONER TRAVIS: Well, you
21 did Ms. Thompson --

22 SECRETARY THOMPSON: No. I just

1 wanted to give you the status. You asked, you
2 said, you wanted to get --

3 COMMISSIONER TRAVIS: Right, but
4 you -- with the language. I just wanted to
5 say, if I may, that you brought up at
6 southeast over at the hospital --

7 SECRETARY THOMPSON: I --

8 COMMISSIONER TRAVIS: -- D.C. Arc,
9 you wanted to say, it would, it would become a
10 felony misdemeanor. And I said, "I would
11 like to see the word felony taken out
12 altogether."

13 CHAIRMAN SWAIN: Ms. --

14 SECRETARY THOMPSON: Ms. Travis,
15 I'm trying to be helpful. I wasn't bringing
16 up any language about any felony misdemeanor.
17 I was trying to just make it a civil
18 infraction. What happens is currently it is a
19 misdemeanor, a criminal misdemeanor. That's
20 that low level of violations that the police
21 usually don't do much with. They usually --
22 that's what it is. But it still shows up as a

1 criminal misdemeanor.

2 Ms. Travis, there is confusion.
3 I'm trying to change it to a civil infraction.

4 COMMISSIONER TRAVIS: That's what I
5 --

6 SECRETARY THOMPSON: Okay. A civil
7 infraction. Meaning, the same way that you
8 get tickets written by the hack inspector, it
9 would be that kind of ticketing as opposed to
10 what it currently is on the books, which is
11 something that, essentially, could -- the
12 police can write a ticket for as a criminal
13 misdemeanor. That's all I'm saying.

14 COMMISSIONER TRAVIS: Well, what
15 has happened with that?

16 SECRETARY THOMPSON: As I said, I
17 was going to give you the status. We agreed
18 that a Commission, when you last discussion
19 agreed that they wanted it changed. We then
20 got in to the second provision in that
21 legislation. And I'm telling you it's
22 legislation, I'm emphasizing that. Where the

1 hotels -- it prohibits the hotels from
2 discriminating.

3 And so, the second part of that, we
4 wanted to expand the language there because it
5 talks only about discriminating on their
6 property. And it was brought up because I
7 know Ms. Battle always talks about The
8 Madison. That in essence, when the favoritism
9 that has been shown there, the vehicle is not
10 on the hotel property. It's in the public
11 way. So we wanted to add some language.

12 So we sent that to the Panel for
13 the language. It was not on the last agenda,
14 Panel agenda, but we certainly can put it on
15 the one coming up. So that we get some
16 language with that.

17 COMMISSIONER TRAVIS: This sounds
18 like a different issue. What I was addressing
19 was the fine -- said there was a fine of
20 \$25.00, I believe it was, for driving too
21 slowly. But in the Code, D.C. Code, the
22 drivers were being being charged as a felony.

1 And also a fine of up to \$150.00. That was
2 what I, when the rest of this was talked
3 about, it had nothing to do with that
4 particular one that I was looking at. So, I
5 don't know how you are mixing the two up and
6 about the hotel all that. That wasn't even
7 part of the issue. We were just talking about
8 drivers being arrested.

9 SECRETARY THOMPSON: Ms. Travis,
10 we've probably had five meetings that you've
11 brought up that somebody's been arrested and
12 charged \$300.00 by the police --

13 COMMISSIONER TRAVIS: I never said
14 \$300.00.

15 CHAIRMAN SWAIN: Okay.

16 SECRETARY THOMPSON: Okay. And
17 what happened, in fact, the meeting where the
18 police came, they said, "We don't arrest you
19 for loitering. There must have been some
20 other issue going on." We asked you, if you
21 could talk to the drivers. You're referring
22 to something that does not exist.

1 COMMISSIONER TRAVIS: It does
2 exist, Ms. Thompson. I told you that I had,
3 that if you wanted, I had a copy of the
4 charge. It showed --

5 CHAIRMAN SWAIN: Ms. Travis, could
6 you bring us the copy of this so we can go and
7 research that?

8 COMMISSIONER TRAVIS: Yes. I can.

9 CHAIRMAN SWAIN: This has been
10 going back and forth since September.

11 SECRETARY THOMPSON: At least.

12 CHAIRMAN SWAIN: So if you could
13 bring us that document so we can get to the --

14 COMMISSIONER TRAVIS: And -- this
15 is what happens so many times. When we put
16 issues out there to be addressed and four or
17 five months later, six months later, a year
18 later --

COMMISSIONER CARTER: Ms.
19 Travis, I believe in September --

20 (Multiple off mic comments.)

21 SECRETARY THOMPSON: -- yes, Ms.
22 Travis we have transcripts. I can read it to

1 you.

2 COMMISSIONER TRAVIS: I would --

3 SECRETARY THOMPSON: We asked you
4 for the documents. The police asked you the
5 exact -- they said the exact same thing.
6 There must have been something more going on.
7 Because we don't have the fine. I'm reading
8 from it. "Loitering is \$25.00."

9 COMMISSIONER TRAVIS: That's the
10 Title 31. This was in the D.C. Code.

11 SECRETARY THOMPSON: In the D.C.
12 Code it says, "No less." I read it. I
13 brought the section, and I read it. It does
14 not say \$150.00.

15 COMMISSIONER TRAVIS: Okay.

16 SECRETARY THOMPSON: It --

17 COMMISSIONER TRAVIS: I'll I'll
18 find it.

19 CHAIRMAN SWAIN: Thank you. If you
20 would bring it to us.

21 COMMISSIONER TRAVIS: I'll find it.

22 CHAIRMAN SWAIN: Thank you. Mr.

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1 Tapscott.

2 COMMISSIONER TAPSCOTT: Yes. On
3 5A, residential property restriction, we have
4 a problem. And I know it's not the Taxicab
5 Commission problem. But I think it involves
6 the taxicabs, and we should need to look at it
7 if we can.

8 That is, if a company, say Diamond
9 Cab Company, rents a cab to this gentleman
10 here, and he lives in Ward 6, and he comes
11 home at night after working all day and parks
12 his car in where he lives, he's getting
13 tickets because he don't have a residential
14 sticker on there.

15 Now, all he does is ignore it. The
16 owner of the company, next thing you know, is
17 getting all these tickets and doubling on them
18 because he don't know the fine is there
19 because he's not driving the car.

20 So is there some kind of way that
21 we can come up and put a rental car out here
22 with some kind of identification to say that

1 he is a resident, you know, a rental, and
2 would not be ticketed?

3 CHAIRMAN SWAIN: What you're asking
4 is the same thing that the rental car
5 companies have a problem with. If you go out
6 -- thank you. If you go out, and you are
7 renting a vehicle on a weekly basis, and you
8 go out and you get tickets and everything
9 else, you want us to come in with some type of
10 mechanism that says that these guys are
11 residents, and they are just renting the
12 vehicle. So that change has to go through
13 DMV. That's not for us. DMV is the one that
14 handles the residential parking ticket.

15 COMMISSIONER TAPSCOTT: I think my
16 first statement was, it was not a real problem
17 for the Commission.

18 CHAIRMAN SWAIN: I understand that.

19 COMMISSIONER TAPSCOTT: And I think
20 the Commission can work with DMV to come up
21 with solutions.

22 CHAIRMAN SWAIN: I'll tell you

1 what. Why don't you go ahead and draft me
2 what you would like me to go to DMV with and I
3 will be more than happy to hand carry it down
4 and get you a response, sir.

5 COMMISSIONER TAPSCOTT: Well,
6 you're not giving me no help. You're telling
7 --

8 CHAIRMAN SWAIN: Yes, I am.

9 COMMISSIONER TAPSCOTT: I can -- I
10 don't need you to take it down there if I'm
11 going to have to draft it up and carry it down
12 there.

13 CHAIRMAN SWAIN: Well, you're
14 asking me to draft it. What's the difference
15 of me drafting it up and you drafting it up?

16 COMMISSIONER TAPSCOTT: It's hard
17 to get through to some people.

18 CHAIRMAN SWAIN: Mr. Wright.

19 MR. WRIGHT: Chairman and
20 Commissioner, I've been driving and -- some of
21 that, for a long time it wasn't a problem, it
22 just didn't -- all of it sudden it started to

1 be a problem. Where the police would come
2 along and give a cab a ticket that don't, that
3 don't -- in fact, you can't get it. That's
4 the thing. They won't even -- I've tried to.
5 The DMV will not allow me to put a, to buy a
6 residents sticker for where my driver lives.
7 They won't allow you to do it. And if you're
8 in a commercial area, they won't allow you to
9 put it in your office. So it's a bad
10 situation.

11 Now I'm not on the Commission. But
12 I think it's something that affects the
13 drivers in the city. I know it's something
14 that affects the drivers. And I'm asking what
15 the Commission, you know, you have an
16 attorney, ask if they will, if you will allow
17 the attorney to see if there's anything that
18 can be done with whoever has to be done. I
19 don't know what has to be done. But I know
20 the DMV will not do anything about it other
21 than tell you that you're not qualified for it
22 because of where your office is located.

1 If the company, if the car is
2 registered in the company name, they will not,
3 and you're in a commercial, they will not sell
4 you a --

5 SECRETARY THOMPSON: And that's
6 because the car is in someone else's name.

7 CHAIRMAN SWAIN: In someone's else
8 name.

9 SECRETARY THOMPSON: Because we
10 actually have a complaint on the other side.
11 We have one from Councilmember --

12 CHAIRMAN SWAIN: Bowser's.

13 SECRETARY THOMPSON: -- Bowser's
14 office. That what is happening is the drivers
15 are going, and I don't know if these are the
16 rental drivers, but they're going -- the
17 community is complaining about all the
18 taxicabs parked. And they're going, they're
19 asking, "Is this a commercial vehicle parked
20 in a residential area?" So, my understanding
21 was that they were getting the stickers from
22 4D -- somebody, they must be getting it as

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1 some --

2 MR. WRIGHT: I didn't know she was
3 behind this.

4 SECRETARY THOMPSON: No. No. We
5 are getting it from various locations.

6 We also have a complaint from the
7 gentleman down on 7th and Newton Place. What's
8 happening is, you know, we're having, I guess,
9 more cabdrivers live in the District with
10 their cabs. The question -- his issue was
11 more, "Why are there so many UCC cabs on the
12 street? Is it because they don't have an
13 official office or" -- you know. But there
14 were lots of them up off -- right off --

15 PARTICIPANT: Sherman Avenue.

16 SECRETARY THOMPSON: -- Sherman
17 Avenue.

18 MR. WRIGHT: But they can't get,
19 I'm saying you're not, the DMV will not sell
20 them if the car is in the company name.

21 CHAIRMAN SWAIN: You can get a
22 temporary from the police department for

1 visitors.

2 SECRETARY THOMPSON: Yes, I guess

3 --

4 MR. WRIGHT: That won't help you if
5 you have somebody in the car. That's 30 days.

6 CHAIRMAN SWAIN: They're not
7 renting the same car every week though. Some
8 are not renting the same cars everyday. I
9 think that they're going to be reluctant to
10 putting a long term sticker on a vehicle
11 that's not going to be in the same location.

12 MR. WRIGHT: Well, I don't know
13 what the solution is. I'm saying, there's a
14 problem. I'm simply asking the Commission,
15 since you all represent the cabdrivers, would
16 you see if there's anything that can be done
17 about it? It's not that I have problem with
18 buying a residential sticker. I've tried to
19 and they simply said, "Your office is located
20 in a commercial zone. Since your office is
21 located in a commercial zone, we cannot sell
22 you." In other words, that's all over the

1 city. If your office location in UDC is now a
2 commercial zone, I didn't they were having
3 that problem, but I assume they are since I've
4 having it. My cars are registered in -- I'm
5 the registered driver. They cannot, I cannot
6 buy a sticker for it. I can't buy one. They
7 won't sell it to me. They say to me, "Well
8 that's, you're in a commercial zone. And the
9 car is registered in your office space where
10 your office is. So we can't sell you a
11 sticker."

12 Now if my, if my car was, well, if
13 you're renting, you got to put it in your
14 company name. There's no other way. It's got
15 to be in the company's name if it's a rented
16 car.

17 SECRETARY THOMPSON: Well, we'll --
18 we're going to meet with DMV. We'll look into
19 it. Because we've heard the issue from the
20 residents complaining about the vehicles, as
21 well. So this is an issue --

22 MR. WRIGHT: And that's probably

1 because they haven't got a sticker. They
2 can't buy a sticker. They haven't got a
3 sticker on their car that say, they got a
4 residential sticker. That's --

5 SECRETARY THOMPSON: Actually, with
6 the one with Councilmember Bowser, they were
7 getting the sticker. So the people were
8 asking, how were they getting it or something.

9 CHAIRMAN SWAIN: And allowed to be
10 there.

11 SECRETARY THOMPSON: And allowed to
12 be there.

13 CHAIRMAN SWAIN: I know a guy who
14 lives in the 1400 block of --

15 SECRETARY THOMPSON: That was the
16 --

17 CHAIRMAN SWAIN: -- he's got a
18 limousine and a taxicab. And they give him
19 holy heck about -- I mean, he lives there, and
20 he has a residential sticker, and they still
21 call and report him.

22 MR. WRIGHT: It must be, it must be

1 a company name that's located outside --

2 SECRETARY THOMPSON: No. No. We
3 just mean the residents are now complaining
4 about the vehicles.

5 CHAIRMAN SWAIN: The residents are
6 complaining about having commercial --

7 MR. WRIGHT: They're saying the
8 taxicab is a commercial vehicle.

9 CHAIRMAN SWAIN: Yes, they are.

10 MR. WRIGHT: Well, that's a
11 problem.

12 CHAIRMAN SWAIN: It is.

13 SECRETARY THOMPSON: Yes.

14 MR. WRIGHT: And we getting
15 tickets.

16 SECRETARY THOMPSON: Well, we'll
17 certainly look into it.

18 MR. WRIGHT: Okay. Thank you.

19 CHAIRMAN SWAIN: We still have to
20 deal with the matter of 802.6.

21 Yes, sir.

22 (Multiple off mic comments.)

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1 MR. FRANKEL: My name is Larry
2 Frankel. Lincoln Cab number 2. Actually
3 there is a procedure to get that sticker,
4 residential sticker. I have a cab I'm renting
5 that I have a residential sticker. The way
6 you do it is that DMV allows you to add the
7 driver's name to the registration. And as
8 long as the driver can produce a D.C. license
9 that shows the legal address, he's allowed to
10 do it on one cab, the cab that he's driving.

11 So if the owner of the company
12 accompanies the driver to DMV and produces a
13 legal driver's license and puts -- is willing
14 to put the name on, the extra name on the
15 registration, it's allowed, and he'll get the
16 sticker.

17 CHAIRMAN SWAIN: I'm sorry. It was
18 just the look on your face when you said, put
19 somebody's name on your --

20 MR. WRIGHT: I've been down there
21 and they won't tell you that.

22 CHAIRMAN SWAIN: Please Mr.

1 Tapscott, go ahead, sir.

2 COMMISSIONER TAPSCOTT: When you
3 put another name on the title of the car, you
4 lose ownership of that car.

5 MR. FRANKEL: It's not the title.
6 It's the registration only.

7 COMMISSIONER TAPSCOTT: But you've
8 got to have the registration, title and the
9 registration together.

10 CHAIRMAN SWAIN: We will check in
11 to that. If they allow you to do that, we
12 will check into that.

13 (Multiple off mic comments.)

14 CHAIRMAN SWAIN: Okay. I've just
15 been advised that they do it in PG County
16 also. Okay.

17 Mr. Wright, we will check on that
18 and give you a call back on that. We will let
19 you know, Mr. Tapscott.

20 I'm going to call this meeting --
21 adjourn this meeting so we can go and talk
22 about 802.6 which we have to do today.

1 SECRETARY THOMPSON: No, they don't
2 have to leave.

3 CHAIRMAN SWAIN: No, you don't have
4 to leave. Okay.

5 SECRETARY THOMPSON: All you're
6 going to do is ask if anybody wants to
7 comment.

8 CHAIRMAN SWAIN: Yes. Okay. Mr.
9 Tapscott. We're going to do 806.2 -- I'm
10 sorry.

11 COMMISSIONER TAPSCOTT: You keep
12 saying --

13 CHAIRMAN SWAIN: Okay. What I'm
14 going to do is that, I'm going to read it to
15 you. 802.6 changes. That's the only part I
16 need to read, yes.

17 Okay. 802.6, under charges.
18 "The final provisions apply to small dogs and
19 other animals in taxicabs. 802.6. Passengers
20 may travel with small dogs and other small
21 animals when securely enclosed in a box or a
22 basket designed for that purpose without

1 charge. Other animals may not be -- other
2 animals may not be so enclosed." I need my
3 glasses. "Other animals not so enclosed may
4 be carried at the discretion of the driver.
5 However a driver may refuse to transport any
6 passenger traveling with a small dog or other
7 small animal if the driver notifies the
8 passenger that he or she suffers from a
9 diagnosed medical condition, such as
10 allergies, and cannot travel with a small dog
11 or other small animals in the vehicle."
12 That's section A.

13 Section B says, "No driver shall
14 transport a personal animal or pet of any kind
15 in his vehicle for hire while holding the
16 vehicle out for hire or transporting
17 passengers except as provided in subsection A
18 in subsection 802.8, service animal." Okay.

19 825. "Specific fine for taxicab
20 infractions are 825.1, failure to comply with
21 802.6. The fine is \$50.00."

22 All this is is for comments. Ms.

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1 Robinson.

2 MS. ROBINSON: Yes. Carolyn
3 Robinson, Yellow Cab 800. I have a question
4 --

5 CHAIRMAN SWAIN: At the table,
6 please.

7 MS. ROBINSON: Carolyn Robinson,
8 Yellow Cab 800. I have a question in regards
9 to this, in the new proposed regulations, the
10 new proposed meter regulations, it's stated
11 that, small dogs, you can transport the small
12 dogs, but you can only charge them a dollar
13 and a quarter.

14 COMMISSIONER TAPSCOTT: It's a
15 dollar.

16 CHAIRMAN SWAIN: It's a dollar.

17 MS. ROBINSON: Well, for -- no.
18 It's -- no, in the, in the new regulations it
19 doesn't state that. So just the price of the
20 dog.

21 CHAIRMAN SWAIN: \$1.00

22 MS. ROBINSON: So we can only

1 charge \$1.00 if somebody wants to transport a
2 dog that's not a seeing eye dog.

3 COMMISSIONER TAPSCOTT: Mr.
4 Chairman, I'd like --

5 CHAIRMAN SWAIN: Mr. Tapscott.

6 COMMISSIONER TAPSCOTT: -- to see
7 if I can clear that up. I think the rule
8 reads that a seeing eye dog, you can't --

9 CHAIRMAN SWAIN: You can't charge
10 for those.

11 COMMISSIONER TAPSCOTT: -- you
12 can't charge for that. You can carry a small
13 dog or a cat or something as long as it's in a
14 suitable container.

15 MS. ROBINSON: The new regulations
16 doesn't state that.

17 COMMISSIONER TAPSCOTT: What new
18 regulation?

19 MS. ROBINSON: The new proposed
20 regulation.

21 COMMISSIONER TAPSCOTT: Oh, the
22 proposed regulation. Oh, I -- and you know, I

1 don't have that new regulation that's
2 proposed. I looked at what was sent to me,
3 and I --

4 SECRETARY THOMPSON: We will have
5 to take a look. The regulations, as it reads
6 currently is, "If the driver agrees to carry a
7 small dog or a small animal which is not
8 enclosed, there shall be a charge of \$1.00."

9 COMMISSIONER TAPSCOTT: This whole
10 thing, I think it should have been explained.
11 We have one driver that customers complained
12 to me. And customers have called in. The dog
13 has snapped at passengers. We have one driver
14 out in the street that is riding around with
15 his personal dog in the front seat of his cab.
16 And this is what this law is trying to do, is
17 to stop that. And this just didn't happen
18 since you've been here.

19 CHAIRMAN SWAIN: I know.

20 COMMISSIONER TAPSCOTT: Mr. Causton
21 Toney had worked on this. He's called the man
22 in. I've been in different meetings with him.

1 The man will not stop riding his dog around in
2 the car.

3 CHAIRMAN SWAIN: I've seen him down
4 at Haines Point.

5 COMMISSIONER TAPSCOTT: And that's,
6 the other part of the regulation, I don't see
7 where it needs to be changed. That's all
8 we're trying to do, I think, is stop that man
9 from riding the dog in the car. Am I right?

10 SECRETARY THOMPSON: I'm not sure.
11 I'm not following you, Mr. Tapscott. Maybe
12 you -- something to say. The regulation had
13 to be changed because there wasn't anything
14 that captured that gentleman.

15 COMMISSIONER TAPSCOTT: Right.
16 Right.

17 SECRETARY THOMPSON: Yes.

18 COMMISSIONER TAPSCOTT: That's what
19 I'm saying.

20 SECRETARY THOMPSON: Oh.

21 COMMISSIONER TAPSCOTT: That's what
22 I'm saying.

1 SECRETARY THOMPSON: Okay.

2 COMMISSIONER TAPSCOTT: That's the
3 only change to the regulation.

4 SECRETARY THOMPSON: Right. Right.

5 CHAIRMAN SWAIN: Yes, sir.

6 Thank you, Carolyn.

7 Ms. Travis.

8 COMMISSIONER TRAVIS: If I may, in
9 802.6, when you first read that a driver
10 could, you know, refuse a passenger, if he
11 tells the passenger that he is allergic --

12 CHAIRMAN SWAIN: If he has a
13 documented allergy.

14 SECRETARY THOMPSON: Except for
15 seeing -- except for service animals.

16 COMMISSIONER TRAVIS: Right. Would
17 you read the first part of that again, I just
18 want to be clear before I make a --

19 CHAIRMAN SWAIN: Okay. It says,
20 "However, a driver may refuse to transport any
21 passenger traveling with a small dog or other
22 small animal if the driver notifies the

1 passenger that he or she suffers from a
2 diagnosed medical condition --

3 COMMISSIONER TRAVIS: Okay.

4 CHAIRMAN SWAIN: -- such as
5 allergies and can not travel with small dogs
6 or other small animals in the vehicle."

7 COMMISSIONER TRAVIS: Okay.
8 Diagnosed. All right. Okay. That was my
9 question. That's what I was concerned about.

10 CHAIRMAN SWAIN: 802.6

11 COMMISSIONER TRAVIS: For the
12 diagnosed, we need to have something on record
13 here --

14 CHAIRMAN SWAIN: Yes, ma'am.

15 COMMISSIONER TRAVIS: Right. That
16 -- okay.

17 CHAIRMAN SWAIN: Yes ma'am. Yes,
18 sir.

19 MR. LUCAS: My name is William
20 Lucas. I drive Yellow Cab 01. I guess my
21 question was -- is based on the same thing
22 where you say civil fines is \$50.00 for 802-6.

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1 But going here where you says,
2 "However, a driver may refuse to transport any
3 person traveling with a small dog or other
4 animal -- the driver notified the passenger."
5 Now, if he tells the passenger that, and he
6 doesn't show the passenger that he has this
7 allergy, then -- and that passenger calls over
8 here and says that, he refused to haul me.
9 Then how you going to solve that?

10 CHAIRMAN SWAIN: It's got to be on
11 the record here.

12 SECRETARY THOMPSON: Or he has to
13 bring us --

14 CHAIRMAN SWAIN: Bring us something
15 saying he has it.

16 MR. LUCAS: So -- okay.

17 COMMISSIONER TAPSCOTT: Question.
18 Wouldn't it be better if they put this on your
19 application when you go to the doctor to renew
20 your license? And then they would have a
21 record over here.

22 CHAIRMAN SWAIN: I agree, Mr.

1 Tapscott.

2 COMMISSIONER TRAVIS: I requested
3 that when Jackie was here.

4 CHAIRMAN SWAIN: I'm sorry. I
5 didn't hear you.

6 COMMISSIONER TRAVIS: I requested
7 that when Jackie was here. She's been gone
8 how many years now? Four?

9 Because I've had two drivers refuse
10 to pick me up with my guide dog. One morning,
11 I had two drivers refuse to pick me up. Said
12 they were allergic. The third driver who came
13 to pick me up, he said, he knew the other
14 drivers were not allergic to any dogs. But
15 they said they did not drive any cabs -- dogs
16 in their cabs. They didn't care if they were
17 seeing eye dogs or --

18 CHAIRMAN SWAIN: Yes, sir, Mr.
19 Tapscott.

20 COMMISSIONER TAPSCOTT: I have a
21 question, Ms. Travis. How does another
22 cabdriver know what allergy I have --

1 COMMISSIONER TRAVIS: Because the
2 driver had told and said to the driver, "I
3 don't pick up people --

4 COMMISSIONER TAPSCOTT: That's
5 hearsay, Ms. Travis.

6 COMMISSIONER TRAVIS: Right. Okay.
7 I accept it.

8 COMMISSIONER TAPSCOTT: It's
9 hearsay. I don't think that you should be
10 refused to pick up for your dog at no one
11 unless they have a legitimate reason not to.
12 And the legitimate reason would have to be
13 that it's on your application.

14 COMMISSIONER TRAVIS: I agree with
15 you.

16 COMMISSIONER TAPSCOTT: That you
17 can not do that. Just by you saying that --

18 COMMISSIONER TRAVIS: I agree with
19 you.

20 COMMISSIONER TAPSCOTT: -- I don't
21 think it's good enough.

22 COMMISSIONER TRAVIS: I agree with

1 you.

2 CHAIRMAN SWAIN: Thank you, Mr.
3 Tapscott. Thank you, Ms. Travis.

4 Any additional comments? Mr.
5 Price?

6 (Off mic comments.)

7 CHAIRMAN SWAIN: Excuse me, Mr.
8 Price and everybody. I got a 1:00 doctor's
9 appointment. That means I'm going to be
10 breaking the law to get there. But this will
11 be the last comment. I got to get there.

12 (Off mic comments.)

13 CHAIRMAN SWAIN: Go ahead, Mr.
14 Price. Please.

15 MR. PRICE: Unfortunately, I don't
16 have a gun or a siren. But I have a -- I
17 don't mind picking up dogs being a dog myself.
18 But there's something missing today that's
19 really missing. That the dog sit in the
20 appropriate spot. Because I've I've had this
21 comment with passengers with the seeing eye
22 dogs or otherwise. And they want the dog to

1 sit up on the seat. And no dog is going to
2 sit on my seat where he is, his backside is on
3 the wrong spot. That is definitely -- but I,
4 but I handle dogs.

5 But the one thing that we forget
6 about -- there's two things. When you -- once
7 you pick up a passenger with a dog, share
8 riding is out the window. That's gone. So
9 therefore, if -- share riding is -- no longer
10 happens once you have a dog in your car.

11 The second thing is that if the
12 driver doesn't have an allergy to it, maybe
13 the next passenger may have an allergy to it.
14 And there's something we need to -- how we
15 need to address this. I believe people with,
16 especially people with seeing eye dogs, they
17 need to be accommodated like every other
18 passenger. But there's some way we're going
19 to have to accommodate the situation.

20 But what's missing out of this is
21 basically what I came up here to talk about.
22 It's not so much about the share riding

1 because that's out the window, but where that
2 dog is placed in that vehicle because you
3 can't -- I'm not going to have a dog sitting
4 on my seat.

5 COMMISSIONER TRAVIS: I just wanted
6 to --

7 MR. PRICE: Yes, Ms. Travis, I knew
8 that was going to touch you.

9 COMMISSIONER TRAVIS: Right. No,
10 no. Because I was going to say, as a person
11 who's had three guide -- wait a minute, four
12 guide dogs --

13 MR. PRICE: At least.

14 COMMISSIONER TRAVIS: -- right.
15 That in training we are taught that the dogs
16 do not ride on the seats. They are supposed
17 to be on the floor.

18 MR. PRICE: Right.

19 COMMISSIONER TRAVIS: And I
20 remember I sent a letter out to every guide
21 dog school in the nation asking them to
22 include this as part of their training to make

1 sure that their students know that dogs are
2 not supposed to be on the seats in cars. And
3 they are to be walked and etcetera, before,
4 you know, leaving home. So they're not
5 supposed to do that.

6 MR. PRICE: And most times that
7 happens. I just had the one case where a
8 person was sight impaired that it didn't. But
9 I've had several cases where it was just a --
10 for that dollar. And for that dollar, they
11 want that dog to sit on my seat. They both
12 had to leave.

13 You know, it didn't make no
14 difference which one I fought.

15 COMMISSIONER TRAVIS: Right.

16 MR. PRICE: But they got to get out
17 of my car because he's not going to sit on my
18 seat.

19 COMMISSIONER TRAVIS: No. And you
20 have that --

21 MR. PRICE: Thank you very much.

22 COMMISSIONER TRAVIS: The other

1 part of that is, like if you have a car where
2 the, there's space, you know, under the
3 dashboard, the passenger can sit up front
4 because I've done that. I've sat up front
5 with my, with my dog where someone can get in
6 the back.

7 MR. PRICE: Well, okay, I accept
8 that. But sometimes the passenger --

9 SECRETARY THOMPSON: Mr. Price.

10 MR. PRICE: Yes.

11 SECRETARY THOMPSON: I just wanted
12 to point out that actually what this -- this
13 is how we -- it was proposed and it's actually
14 published.

15 MR. PRICE: Okay.

16 SECRETARY THOMPSON: And so we are
17 just actually just doing the public hearing on
18 the proposed. So your concern about -- with
19 the modifications, you'll have to take it back
20 to the --

21 MR. PRICE: Right. Because --

22 SECRETARY THOMPSON: Either this

1 moves on as it is, and that's a subsequent
2 modification.

3 MR. PRICE: Because I've even had a
4 problem with the people with cats. The cats
5 like to get up in the back windows, you know.
6 And so therefore, you're driving along and you
7 see the cat. You look in your rear mirro and
8 there's a cat blocking your vision, you know.
9 So yes, I mean, somewhere along the lines,
10 these are, these are the little things that
11 were just like kind of like left out or just
12 assumed that these people can maintain their
13 animals. Sometimes people love their animals,
14 and their animals have free run. But you
15 can't have it in my world, you know.

16 Thank you very much.

17 COMMISSIONER TAPSCOTT: I'd like to
18 say one comment. There's a lady and Ms.
19 Travis, how are you in -- there's a lady who
20 has a seeing eye dog, white dog, lived in the
21 601, I think, no, 611. 611 Edward Street.
22 And I picked her up. And it took me about

1 four hours after, I didn't refuse her, but it
2 took me about four hours to clean my car and
3 fumigate my car before I could pick up someone
4 else. We got to also take that -- I mean, you
5 know, I'm not against the seeing eye dog at
6 all. But somewhere along, you've got to drawn
7 the line that other people that wants a cab
8 after they get out --

9 COMMISSIONER TRAVIS: I agree. I
10 agree with --

11 COMMISSIONER TAPSCOTT: So I just
12 want to bring that in.

13 SECRETARY THOMPSON: I think that's
14 it, Mr. Tapscott. So we can just adjourn at
15 this point.

16 COMMISSIONER TAPSCOTT: All right.
17 Will that come up was for a hearing later on
18 the seeing eye dog?

19 SECRETARY THOMPSON: No. This is
20 --

21 COMMISSIONER TAPSCOTT: I mean on
22 the --

1 SECRETARY THOMPSON: -- the
2 hearing.

3 COMMISSIONER TAPSCOTT: This is the
4 hearing.

5 SECRETARY THOMPSON: This is the
6 hearing.

7 COMMISSIONER TAPSCOTT: Will it
8 come up for a full vote?

9 SECRETARY THOMPSON: No. The issue
10 that was here really had nothing to do with
11 seeing eye dogs.

12 COMMISSIONER TAPSCOTT: Right.

13 SECRETARY THOMPSON: It really was
14 about the person transporting the pet. But it
15 was a modification to the same provision. So
16 that's why it was being read in.

17 If there are changes that need to
18 be made, we will actually have to do another
19 rulemaking. This is moving along; it's going
20 to come out of proposed. It's in the
21 Register. It was published 2/22/08. So
22 there's a 30 day comment period. You've got

1 to have a public hearing. It will come up for
2 a vote for final, as written.

3 Now, if the Commission wants to
4 change some more things about it, then it will
5 start the process all over again. And we
6 won't have addressed your concern.

7 COMMISSIONER TAPSCOTT: You've got
8 to address that.

9 SECRETARY THOMPSON: Okay.

10 COMMISSIONER TAPSCOTT: All right.
11 If there's no other comments or anything, I
12 call this meeting adjourned at 1 o'clock.
13 Thank you all for coming.

14 (Whereupon, the above entitled
15 matter was concluded at 1:00 p.m.)
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19